



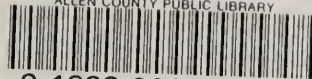
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I

REGISTER OF THE CONSULTATIONS
OF THE MINISTERS OF EDINBURGH
AND SOME OTHER BRETHREN OF
THE MINISTRY
VOLUME
I

REGISTER OF
THE CONSULTATIONS OF THE
MINISTERS OF EDINBURGH AND
SOME OTHER BRETHREN OF
THE MINISTRY

VOLUME I

1652-1657

Edited by

REV. WILLIAM STEPHEN, B.D., F.S.A.Scot.

MINISTER OF INVERKEITHING AND ROSYTH ; AUTHOR OF
'HISTORY OF INVERKEITHING AND ROSYTH'



EDINBURGH

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INTRODUCTION

The Register of Consultations, the manuscript of which is in the library of the General Assembly of the Church of Scotland, belongs to one of the most turbulent periods of the history of the religious life of the country, when the Church was sharply divided into two parties—the Resolutioners and the Protesters.

Throughout the country the Service Book of Charles I. and the arbitrary measures associated with the same aroused strong opposition and keen religious enthusiasm, which ultimately found expression in the National Covenant. Sworn to and subscribed with great fervour by an immense concourse of all classes in Greyfriars' Church, Edinburgh, on 28th February 1638, and subsequently in the capital and throughout the country, the Covenant consisted of three sections. The first was a true transcript of the King's Covenant of 1580-81 as prepared by John Craig, minister at Edinburgh, and signed by King James and his household, with a view to unite the kingdom as a Reformed state in self-defence against the tenets and plans of the Roman Catholic Church; the second, said to be the work of Archibald Johnston of Wariston, contained a summary of the long series of Acts of Parliament ratifying the liberties of the Church of Scotland; and the third, drawn up by Alexander Henderson, minister of Leuchars, consisted of the 'true Covenant,' in which the subscribers pledged themselves on oath to continue faithful to their true religion against all innovations that had been introduced, to strive to recover and preserve the purity and liberty of the Gospel as it had been established and pro-

fessed prior to said innovations, and to stand by the King in defence of the religion, liberties, and laws of the kingdom, and for the same end to give mutual defence and assistance every one of another.

On 21st November of the same year the General Assembly met at Glasgow, the Marquis of Hamilton being Lord High Commissioner, and Alexander Henderson of Leuehars fulfilling the duties of Moderator. The High Commissioner soon withdrew, but the Assembly continued its sittings, and passed a series of enactments by which Episcopacy was abjured and Presbyterianism restored. Fittingly at the close did the Moderator sum up the work of the Assembly: 'We have now cast down the walls of Jericho; let him that re-buildeth them beware of the curse of Hiel the Bethelite.'

The King at once took up the challenge and raised an army to put down what he regarded as rebellion. The Covenanters in turn, under the direction of Alexander Leslie, afterwards Earl of Leven, and Lord Rothes, rallied their supporters to their flag which was stamped with the Scottish arms and the ditton, 'For Christ's Crown and Covenant,' in letters of gold; and the opposing forces confronted each other at Duns Law. Negotiations supervened, with the result that the King promised a free Assembly at Edinburgh, with a Parliament to follow. At the same time each side agreed to abandon their armaments.

Thus far the Covenanters had secured the advantage; and their position was further strengthened and consolidated by the Assembly at Edinburgh in August 1639, the Acts of which were ratified by Parliament in June 1640. But at this juncture a step was taken which ultimately involved dire consequences. Away on the English horizon the clouds of civil war were beginning to appear; and the gathering storm naturally drew the Covenanters of the

north and the Puritans of the south more closely together, till at last they joined hands. Actuated by their success in Scotland, the Covenanters allowed themselves to be enthralled by the glamour of religious uniformity throughout all parts of Britain; and, to a large extent as a result of this, in 1643 there was drawn up 'The Solemn League and Covenant for the preservation of the Reformed Religion in Scotland, the reformation of religion in England and Ireland in doctrine, worship, discipline, and government according to the Word of God, the Honour and Happiness of the King, and the Peace and Safety of the Three Kingdoms of Scotland, England, and Ireland; to endeavour "the extirpation of popery, prelacy, superstition, heresy, schism"; to defend the privileges of Parliament and the person and authority of the King; and to seek "the discovery of all such as have been or shall be incendiaries, malignant, or evil instruments, by . . . making any faction contrary to this League and Covenant, that they may be brought to public trial and receive condign punishment."' Agreed to by the General Assembly of August 1643, the League and Covenant was subscribed in St. Margaret's Church, Westminster, on 25th September following, by members of the House of Commons, the Assembly of Divines then in session, and the Scottish Commissioners. Later subscription was made by additional members of the House of Commons and by the House of Lords. In scope this bond was far beyond anything contained in the National Covenant.

Meantime the Civil War in England had broken out and was passing on through its various phases. A drawn battle at Edgehill was followed by defeats of the Royalists at Marston Moor and Naseby; and the power of Cromwell was in the ascendant. In Scotland by his brilliant exploits the Marquis of Montrose revived the fortunes of King Charles, but on the field of Philiphaugh on 13th Sep-

tember 1645 he suffered a crushing defeat at the hands of General David Leslie.

Vanquished in the struggle with his subjects, Charles I. in May 1646 took refuge with the Scottish army at Newark, Nottinghamshire. About eight months later, after negotiations between parties, there was consummated an agreement by which the Scottish army delivered the King over to a Committee of the English Parliament, and returned to their own country. Escaping from captivity at Hampton Court, the King repaired to the Isle of Wight where, in Carisbrooke Castle, from November 1647 to September 1648 he remained a prisoner. At this point the Scottish Estates, still loyal to the Stuart cause, made a further and what proved to be a final effort to save the monarch. The Earls of Loudon, Lanark, and Lauderdale were deputed to meet the King at Carisbrooke; and there an agreement was reached, in terms of which the hapless sovereign promised in return for Scottish support to give to the Solemn League and Covenant a parliamentary sanction, provided that none should be compelled to take it against their will; to establish Presbyterianism in England for three years, with the reservation that he and his household were to be allowed to worship in their own way; and after these three years to establish permanently such a polity as the Westminster Divines, with twenty commissioners of his nomination, should determine as most agreeable to the Word of God. This agreement became known as the 'Engagement,' and its supporters were termed the 'Engagers.'

By the Commission of Assembly of 1648, however, the 'Engagement' was strongly opposed, and the General Assembly of July of the same year gave unqualified support to the attitude of the Commission, the contention of the Church being that King Charles should not only not oppose the Covenant himself, but should also support all

Acts of Parliament enjoining others to take it, and that he must not only establish Presbyterianism in England, but establish it permanently, and virtually become a Presbyterian himself. Heedless of this opposition the Estates proceeded with their own plans, and, with the Duke of Hamilton as commander-in-chief, raised an army which marched into England and was met and overthrown by Cromwell at Preston. After the battle Cromwell marched to Edinburgh; the Committee of Estates fled; and the Marquis of Argyle, himself a rigid Covenanter, and the party that opposed the 'Engagement' passed to power. Relentlessly they used their strength, passing the Act of Classes, by which they excluded from all places of honour and trust 'every one who had shown himself hostile to the Covenant, taken any part in the "Engagement," or contracted any other like deadly sin.'

On 30th January 1649 King Charles was beheaded at Whitehall; and forthwith, loyal still to the royal line, the Scots proclaimed his eldest son, Charles, his successor. But Charles II.'s investment with the supreme authority was conditional upon his pledge by oath to the Solemn League and Covenant, and his consent that all civil matters should be in the hands of Parliament, and the direction of ecclesiastical affairs be vested in the General Assembly of the Church. To Holland, where the Prince then sojourned, a deputation was despatched to acquaint him with the resolution adopted by the Estates and the conditions attached thereto. Later, on 7th July, the General Assembly met and passed enactments more rigorous still, ordaining that all who had in any way approved of or supported the 'Engagement' should be regarded as malignants, and should either submit to the discipline of the Church or suffer the penalty of excommunication; and maintaining that all malignants be expelled from the army, and that the

King himself must take the Covenant if he would occupy the throne.

Meantime Charles had reached the mouth of the Spey, but it was only after subscribing the Covenant that he set foot in the country. Later, on 16th August, at Dunfermline, he was constrained to adhibit his signature to a document prepared by the Commission of Assembly and the Committee of Estates, to the effect that he felt himself humbled by the policy of his father and the idolatrous practices of his mother and the royal household ; and that he himself had subscribed the Covenant sincerely and not from any ulterior motive.

The advent of Charles brought Cromwell and his army to the north. Hastily the Scots gathered together their army, from which on a muster on Leith Links they expelled all known to have stood by or suspected of having supported in any way the 'Engagement.' Defeat at Dunbar overtook them ; and then the Committee of Estates, realising that if further opposition was to be offered to the invader, all available men must be drawn in, resolved to hold consultation with the Church. At Perth, on 14th December 1650, the Commission met and after deliberation decreed that 'in this case of so great and ardent necessity we cannot be against the raising of all fencible persons in the land, and permitting them to fight against this enemy for defence of the kingdom ; excepting such as are excommunicated, forfeited, notoriously profane, flagitious, or such as have been from the beginning, or continue still, and are at this time obstinate and professed enemies and opposers of the Covenant and cause of God.' Clearly this opened to the 'Engagers' a door by which they might pass through Church discipline into the army ; and the result was that men of all classes flocked to profess what was a mere pretence of penitence, in order to enable them to enlist in defence of their native

land. Divisions in the ranks of the clergy followed, many maintaining that the high Covenanting ideal had been sadly compromised. But ignoring this cry, the Committee of Estates again approached the Commission asking whether such as had been excluded from the Committee of Estates for malignancy might not be readmitted on submitting to Church discipline. The Commission adopted a guarded attitude, replying that, subject to certain conditions, the end might be attained. Thereupon, on 31st May 1651, Parliament repealed the Act of Classes ; and in the month of July following, the General Assembly met and gave its support to the Commission. But the earlier division of opinion in the Church again became manifest ; the breach widened ; and twenty-two ministers handed in a protest against the legality of the Assembly, on the ground that there had been undue interference by the King and that the constitution of the Assembly had been meddled with by the Commission. Three of the leading Protesters, James Guthrie of Stirling, Patrick Gillespie of Glasgow, and James Simpson of Airth, were deposed, while James Naismith of Hamilton was suspended. Complete division followed, the Church breaking up into two bitterly hostile parties, whose virulent feelings affected the whole country. Those who stood by the Commission and the Assembly were termed ‘ Resolutioners ’ ; and those who protested against them were designated ‘ Protesters.’ Of the former the most prominent leaders were Robert Douglas of Edinburgh, David Dickson of Edinburgh, and Robert Baillie of Kilwinning and later of Glasgow University ; and at the head of the Protesters were James Guthrie, Patrick Gillespie, and Samuel Rutherford of St. Andrews University.

Meanwhile Cromwell had not been idle. At Inverkeithing on 20th July 1651 a portion of his army inflicted a severe defeat on the Scottish forces under General

Holburne, and he himself, outflanking King Charles and his army at Torwood near Stirling, followed them with the greater part of his forces in their march into England and achieved his 'crowning mercy' at Worcester. Thus Scotland lay at the feet of the Protector.

In relation to the Supreme Court of the Church the policy of Cromwell was one of suppression. Of the proceedings of the General Assembly at Edinburgh in July 1650 there is no printed record. The next, convened at St. Andrews in July 1651, adjourned without doing anything, and when it did again assemble at Dundee in the same month, it dissolved with precipitate haste on hearing that Cromwell's men were on the march from Perth. This was followed by a meeting at Edinburgh in July 1652. Once again a meeting was essayed, on this occasion also at Edinburgh in July 1653, but it was broken up by Colonel Cotterel in spite of the protests of the Moderator, David Dickson; and at the same place, a year later, an attempted meeting was dispersed by the soldiers before being constituted. It does not appear that any attempt was made to interfere with the meetings of Kirk-Sessions, Presbyteries, and Synods; but on 8th August 1654 the Protector made an Order in Council at Westminster, appointing certain ministers and others in stated divisions of the country to examine and take 'care that none but godly and able men be authorised to enjoy the livings appointed for the ministry in Scotland'—an enactment that had the effect of depriving the various courts of the Church, as well as the heritors and people, of their rights in regard to appointments. On one occasion also, at least, the Protector made an order appointing a fast to be observed, but the attitude of the Resolutioners was one of unmistakable but courteous and dignified refusal to implement the command.

The actions of the English army of occupation also involved a certain amount of interference with the life and

work of the Church. It cannot be said that the soldiers were guilty of anything approaching a systematic disturbance of public worship. But they sometimes intervened where ministers dared to offer up prayers for the King; and at a meeting of certain brethren at Edinburgh on 5th October 1655 it was resolved on the ground of expediency to discontinue such prayers. For the Presbyterian ordinance of public repentance the soldiers entertained a feeling of contempt, and in various ways, particularly in their treatment of the 'seat of repentance,' they sought to heap ridicule upon it. Both officers and men also, whenever they 'listed,' did not hesitate to preach—an action that greatly shocked the regularly ordained clergy.

To the virulent feeling between the two parties in the Church reference has already been made. In the Church Courts, particularly where the Protesters were numerous, incessant and acrimonious discussions and disputes were a sad feature; and in certain cases a complete cleavage took place, and the parties formed themselves into separate courts. By the Protesters, ministers who did not share their views were in some instances deposed; and the same party did not hesitate to intrude an incumbent of like mind with themselves upon a parish against the will of the heritors and people. This was done even where a minister was already in possession, as in the case of Eccles to which reference will be found in this volume, where in 1655 the Protesters settled Mr. Andrew Rutherford while Mr. John Jamieson, appointed minister in the previous year, was still alive and at work. Wherever they could, the Resolutioners sought to retaliate. Pitiful, indeed, was the condition of the country.

To this deplorable state of affairs, as well as to Commonwealth legislation and actings in relation to the Church, repeated reference is made and testimony revealed in *The Register of Consultations*.

The first portion, which opens with a letter of 2nd January 1652 addressed to the Protector, largely consists of testimonies of the attitude of the Protesters towards the prevailing condition of affairs in the land, including the effects of the actions of the English army. There is also an exhortation regarding the danger of departure from the true religion, addressed to the 'Separatists' in Aberdeen, where each of the Covenants had met with a rather indifferent reception; and there is likewise presented a critical examination of the Protector's Order in Council of 8th August 1654 anent the judging of the fitness of entrants to the ministry.

The second and largest portion, designated the 'First Register,' contains the 'Results of the Consultations of the Ministers of Edinburgh and some other Brethren of the Ministerie from dyverse parts of the land, meeting together from tyme to tyme since the interuption of the Assemblie 1653 for mutuall advise and counsell in the publik affairs of this distressed and distracted Kirk, with other papers of publik concernment.' Of these papers the first is a letter from the Protector, of date 6th May 1654, addressed to three representatives of the two parties, requiring them to repair forthwith to London to hold consultation with him regarding the condition of the Church and religion in Scotland. For various reasons none of them was able to respond; and instead there were presented in succession to General Monk, commander-in-chief in Scotland, a series of criticisms of the order regarding appointments to parishes, already referred to, and a statement of the grievances of the Church along with proposed remedies.

In 1655 an important step was taken, when there was held at Edinburgh a joint conference between the parties with a view to composing their differences. The names of those present at the conference occur at a later period in the manuscript, and will be found on page 201. Pro-

tracted negotiations followed, set forth in a series of overtures and offers, questions and answers, which explain in detail the positions of the opposing factions, and at the same time reveal the bitter feeling then prevalent. Certainly the Resolutioners seem to have gone far towards endeavouring to effect an understanding, but not far enough to satisfy the Protesters; and in regard to the healing of the breach the conference proved abortive.

The dissolution of the conference meant that the dispute was carried on in other directions. Evidently the Protesters made overtures to the Council in Scotland with a view to securing the erection of Commissions within the Church, based upon powers derived, as they contended, from the Commission of 1650. To combat this the Resolutioners, on 30th January 1656, addressed a representation to Lord Broghill, Lord President of the Council, at the same time enclosing reasons to justify their position. This was followed by a petition to the President, praying the Council to remedy the woeful condition of affairs by restoring the full government of the Church, and by complaint as to certain acts of injustice in regard to the payment of stipend to ministers. There was also laid before the Council a summary of the Acts of Parliament establishing and confirming the government, discipline, and liberties of the Church and its courts. A further appeal was addressed to Lord Broghill, praying him to use his influence to give effect to the petitioners' pleas and suggestions. A side issue was a deputation sent to the President, desiring him to take action in view of the increase of popery in the north.

In August 1656 the Resolutioners adopted another line of policy which at last virtually brought both parties to the position that the Protector had in view two years before, namely, personal consultation with himself. Learning that the Protesters contemplated sending representatives

to London to interview Cromwell, the Resolutioners also resolved to despatch one of their number to the metropolis to represent their case to the Protector and others. The choice fell on James Sharp, minister of Crail and Professor of Divinity at St. Andrews, afterwards Archbishop Sharp. To Mr. Sharp detailed instructions were given ; and these were supplemented from time to time as occasion required by information, suggestions, and advice on various points. Special emphasis was laid upon the restoration of the working of the Church's constitution as the remedy for the prevailing ills. Letters containing information and giving grounds of justification of the Resolutioners' attitude were also despatched to General Monk and Lord Broghill, both of whom had gone south, and the latter of whom appears to have had leanings towards their position ; to Mr. Desborough, Colonel Lockhart, and Colonel Wetham, all members of the Council in Scotland ; and to prominent London Presbyterian ministers, Messrs. Simeon Ash, Edmund Calamy, and Thomas Manton. Letters were also sent by Robert Baillie to Mr. Ash, and to Mr. Rouse, author of a metrical version of the Psalms and a member of the English House of Commons. An epistle written to Mr. Ash by Samuel Rutherford on behalf of the Protesters drew forth a reply which, given at a later stage in the manuscript, plainly chides Rutherford for his lack of charity. Indeed, both Ash and Calamy, as well as Colonel Wetham, appear to have been impressed by the attitude of the Resolutioners, who sought further to strengthen their case by issuing on 27th January 1657 a long statement entitled ' A True Representation of the Rise, Progress, and State of the Present Division in the Church of Scotland.'

In London, meanwhile, Mr. Sharp had not been idle. At one time we find him in private conclave with General Monk ; on another occasion he seeks to impress members

of Parliament with the saneness and justice of his case ; and anon he is discussing the situation at length with the Presbyterian ministers already named, or with another divine, Dr. Owen, who, strong in his influence with Cromwell, was at least desirous of promoting religious peace in Scotland. Nor were the Protesters at rest. Five of their number, Messrs. Guthrie, Gillespie, Greenhead, James Simpson, and Sir Archibald Johnston of Wariston, were in London, and, like Sharp, they were sparing of no effort to further their cause. Indeed, both parties appear to have used their time to the full in making representations in any quarter that was likely to carry influence.

Early in February 1657 the parties appeared in the presence of the Protector at Whitehall. In two letters, the second of which closes this volume, Sharp gives a detailed account of the proceedings. He himself appears unperturbed and collected and possessed of a wonderful mastery of details; the Protesters, on the other hand, seem sometimes to have presented points with a vehemence which probably did not always carry conviction to Cromwell and the others present. Ultimately the conference ended with the understanding that the Protector would arrange for a further discussion of the matter.

W. S.

THE MANSE,
INVERKEITHING, *22nd June 1921.*

LETTER FROM THE PROTESTERS TO L. GENERAL CROMWELL, JANUARY 1652

RIGHT HONOURABLE,—The Lord having now for a long time past spoken against us and this whole nation by severall things in righteousness, many of our number did at two severall meetings in this place search into and condescend upon some causes for which, as they conceived, so great wrath hath gone forth from the Most High, against this Church and Kingdome, in following of which dueties their conscience doe bear them record that they have desired to deal impartially without respect of persons, themselves or others, as in the sight of Him who is the searcher of hearts ; and, as we desire to be deeply humbled before the Lord for these things, and intend in His strength the remedy thereof to the utmost of our power in our stations and capacities, so doe we resolve, if the Lord sall yet reveale unto us any thing further of the grounds why He contends with us, not to hyd our sin, nor detaine any part of the pretious trueth of God in unrighteousness. Former experience have taught us, that he who hyd his sin, shall not prosper ; and we trust for the future to find it trew that he who confesses and forsakes it, shall find mercie. A more frequent number of us being now come together by the good hand of God upon us, to consider what we ought to do, and how to carry ourselves in ordour to their proceedings, by whom He hath been pleased in the way of His judgements to accomplish so much of His good pleasures upon us, we found it incumbent to us to make knownen, with that sobriety, plainnes, and sinceritie that becometh Christeans, somewhat of our thoughts and desires concerning what we have already sett and seen, and what we may further fear, of injurie unto our religion and libertie, these precious and comprehensive interests

in which are involved all our contentment as men and comfort and happiness as Christeans ; and in a speciall way we have resolved to make application to your Lordship, not only because you had and still have the charge and conduct of these forces which invaded this land, and now keep it in subjection, but because we look in upon you as one who hath most tendered our condition, and is most able, and, we may say, most obliged to help what is past, and to prevent what is like to come. Wee shall not insist upon the iniquity and unjustic of the invasion ; yet we should be unfaithfull to you and wrong our own consciences if we should conceale that no thing which hath hitherto come to pass, can to our understanding justifie the authors of it and actors in it, or acquyt them of the blood of many of the saints of Scotland precious in the sight of the Lord, which we desire not to speak from any bitterness or implacablenes of spirit. It is time for us when God hath brought us so low for our iniquities, to abandon evill thoughts against those who have done us the greatest personall injuries, and to forgive them even as we wold have them to forgive us. But as we desire to justify the Lord in all that is come upon us for our many and great provocationes against Him, whither in the late Treatie with the King, or other transgressions by reason of which He might have most justly shed more of our blood, so doe we wish the instruments thereof to consider what they have done, that they may not only know that, the foundation being evill, the superstructure cannot readily be good, but also that they may repent and doe no more so, that they may find mercie in the day of the Lord Jesus ; and we hope as many of them as are sharers of the grace of the Gospell, shall, before the closeing of their eyes, be humbled and ashamed before Him, even for this thing. That which doeth most afflict us is the exceeding great injuries which are done from day to day to religion and the precious ordinances of Jesus Christ amongst us. Wee take no delyte in reckning up of things which we have observed in the Army, that are contrarie to sound doctrine and to the power of godlines. We

desire not to be so great haters of them as to rejoyce in their sin or to bring up an evill report upon them without cause. But when many of the clearest, most necessar, and uncontrollable trueths of God are called in question and denyed, when many grosse errors, nay the tolleration of all errours, is debated for and asserted by not a few, we cannot hold our peace, unlesse we would be fund unfaithfull to God, and suffer sin upon you and them, and our selves by our silence to be made partakers of the same guiltines. When some men deposed from the Ministrie in a just and orderly way by the lawfull Assemblies of this Kirk for grosse offences, have been authorized to lift their maintenance, and countenanced to preach; and, altho' upon application this may be redressed, yet it seems to tend towards an immediat meddling in matters of Jurisdiction in the House of God, and to subordinat the Assemblies of this Kirk to the present power, when the mouthes of some godly and honest Ministers amongst us have been stopped, and others are so threatened to be so dealt with or have violence offered unto them, if they shall preach or pray any thing that touches upon the proceedings of the present power. So that if the Lord putt it into your hearts to remedy and prevent these things, no other issue can be well expected of them, but that if He shall think it fitt to prolong our trouble, ere long the Ministers shall be rendered baise and contemptible, or be scattered unto corners, or preach at their great hazard. Besides it is not usual for officers and souldiers to stepp into pulpits and to speake there what they list; and there is little regard had to the Worship of God, and the observance of the Lord's day, yea, in severall places, pulpit Worship is much disturbed and interrupted, the Covenants much spoken against, and the obligation thereof disclaimed and slighted. By many, severall pamphlets are printed and vented full of scorne and reproaches, not only against the whole Ministrie, but against sundrie of the ordinances of God. Wee are not ignorant that some say, and more men say, that these things are not approven; yet it is knowne that many

such things as these have been regraited by severall godly men in the Nations for some years past, and yet not effectuall remedy provided for to this day, which cannot well be excused, seeing there wants not power for restraining and reforming of them, nor can these in whom that power receideth, be altogether ignorant of these or the like things. They, being verie knowing and searching men in other things, can hardly but see and know somewhat of these which are so common and ordinar. And, oh ! shall the things which concerne God and His honour upon the earth and the Soules of His people, not find more care and respect then men's owne things ! He is a Jealous God, and it concernes you exceedingly to consult well what will be the end of these things. Altho' there may be some seeming advantages in bearing with them, yet if Zion be laid in the dust, and the fair and beautifull face of pretious ordinances and truthes thus blecked, shall not wrath be increased, and will not the just Lord ere long arise to render recompence ? He is zealous for His holy temple, and, although we be sensible that the lot of the Lord's people had been verie hard, if the malignant party had prevailed, and would be no less hard if they should againe have regresse to power, yet we can not bot be affraid of what may be the sad consequence of taking away from this land their civill liberty, if the Lord suffer these who have gotten the dominion over us so to doe, because such a thing to our apprehension draw along with it the subordination of the Church to the state in the things of Jesus Christ, the gathering of the Churches of what so ever sort out of all or any of the congregationes of Scotland, and the same latitude to tolleration in Scotland that is in England, the withdrawing the power of the civill Magistrate for corceing or restraining such as contemn the authority of the Church, the broaching and venting of many heresies and errors, the lawlesse preaching of whosoever will and whatsoever they will, if nothing be spoken to the disturbance of the civill peace, the putting of Ministers to hard sufferings if they speak against these who have the power, the thrusting into the Ministerie

persons tainted with error, the reversing of rightly established Lawes relateing to religion and righteousness, the abridging of the assemblies of the Kirk in their just power and freedome, the imposing of Magistrats of contrarie principles and practises to the doctrine, worship, discipline and Government of this Kirk, and the pressing of oathes and ingagements which may in all appearance dryve the godly to sin or suffering. These are some of the many evils under which we presently groane and of the sadd things which we fear. Therefore we do desire, and seriously obtest, your Lordship, in the bowells of Jesus Christ, and as you desire to finde acceptation in the day of your accompts before Him who is the hope of His people, that you wold to the outmost of your power indeavour that these our present evils may be remeded, and our fears for the future may be prevented, that we may enjoy the pretious ordinances and the excellent things of Jesus Christ in their puritie, integritie, and freedome, doctrine, worship, discipline, and government, as the Lord has been graciously pleased, after much expence of blood treasure and paines, to vindicat them from the ineroachments of the papish, prelatieall, and malignant partie, and as He hath established them amongst us, and that, as to things civill, no intrinchement may be made upon the just freedome and liberty of this Nation. If we would not be unfaithfull to God, and make the posterity, when we are gone, to blame us for our silence, we dare not but desire these things, yea, in justice we think we may plead for them, not only because the late invasion had, as we conceive, no ground in the law of equitie and righteousness, and so cannot minister any just pretext for wreathing of yocks about our necks, but also because the well affected in Scotland did in the yeir 1643 assist England, and to the utmost of their power did in the yeir 1648 oppose and withstand the invading of England, and did rather chuse to suffer the hardest things nor to be consenting or concurring thereunto; and in the yeir 1650, upon report of your Lordship's downe coming to this land, when this Kingdome was about the

leaving of an army, it was by their endeavours provided and declared that these forces were levied meerly in reference to the defence of the Kingdome, and not for invading of England, and letters was written from the Parliament to England to signifie the same, and to desire that all peaceable means might be assayed before any engagements in warr ; and albeit there was darkness upon the spirits of many of the godly in the late transaction with the King, which was indeed a great provocation against the Lord, yet were they in all things which might concern England, verie carefull that no thing might be agreed on or done, which might give just offence ; and afterward, when the Lord did discover and make knowne unto them the danger and hollownes of the King's way by his bringing againe to power and trust in the judicatories and armies the malignant party of the land, the most part of the godly did bear testimony against and many of them withdrew therefrom, upon which accompt they ly under many heavy and sad reproaches, as betrayers if their Nation, Religion, and liberty into the hands of Strangers.

2. Such a thing seems to us to be contrary unto and inconsistent with severall of the declarations emitted upon the state of the warr and sent into this Kingdome in and aboutt the tyme of the invading thereof, for these declarationes doe hold forth the liberty of a self disposing power in everie Nation concerning their owne government, and an obligation by the Covenant upon these Nations to defend and maintaine the libertie of either, and the endeavours of some belonging to this Nation to usurp upon the legislative power of England, as an injurie done them, and that albeit the great injuries and provocations done by this Nation to these in England, might in case of successe invite returnes, answerable to the designes and attempts of the Scots upon them if they should trend in their steps, yet that, the Lord being witnes, domination, revenge, or worldly gaine wes not the motive of their ingagement in this undertaking, but the end therein mentioned are the advancement of God's glory, the

furthering of a just freedome where God shall minister the opportunity, the procureing of a fitt satisfaction for what is past, and the setleing of a cleare security for the tyme to come, which to our and the world's apprehension, and we conceave also in their owne intentions at that tyme, doth disclame the thoughts of taking away the liberty of this nation ; and your Lordships letter written after the defeat at Dunbar to the Committee of Estates of this Kingdome, seemeth to us to impart the same thing.

3. It will be fitt for your Lordship to discend into your owne conscience and to ponder impartially as before the Lord who weighs all in a just ballance, whither you wold desire to be this done into. Put your soule in our soule's stead and suppose this Nation had invaded England when you invaded Scotland upon fears and presumptions of dangers from them, and had prevailed in battle, wold you thought it justice to found thereupon a conquest or incorporation to modle England as to religious and civill interests, after the arbitriement of the Victors by the power of the Sword ? What you wold not have other men do unto you, do not you the same unto them, for this is the law and the prophets.

4. How great iniquity and injustice shall it be if, after all that the poore land hath suffered by an unnecessary Warr, their religion shall be endengered, and their liberties taken from them upon the soll will of these that have prevailed ! Suppose it had been the purpose and intention of some of the Kingdome to have invaded England, and the evidences thereof had been apparant and undenyable, yet we beleve that no law of God nor amongst Nations, will make it warrantable that this Nation be no more a Nation, but either declared conquered or unbodied with England. Justice, when it is wronged, seeks but satisfaction and security. It doeth not subvert and incroach upon other men's rights, but takes and gives everie man his owne, an eye for an eye, an tooth for an tooth. But how hudge an unequality is there betwixt a presumption of a resolution of some in Scotland to invade England, and on the other part an actuall invading of Scotland, the

streatching forth of the hand on all its pleasant things, and making it wholly at Englands disposall !

5. It will be a great provocation before God to that which directly or by consequence will tend to the prejudice of religion, and the ordinances of Jesus Christ, the fear of which prejudice and danger is with us, we must say, the most prevailing reason why we are so pressing that our liberty also may be preserved, there being as to the present case so probable a connexion between the taking away of the one and danger of the other. We are perswaded in our consciences, what ever may be the many short comings and great failzies that is amongst us in practise, for which we desire to mourne before the Lord, that yet the Church of Scotland doeth enjoy pure ordinances which many precious and godly men in this land have before this tyme sealed with their sufferings; and, whosoever will endeavour to subvert the same, will sin against their owne soules, and provoke the Lord to show his displeasure against them. But we desire to hope better things from your Lordship; and others Kings and great ons have attempted it upon this verie principle and pretext, that they might the better establish themselves, and the more to secure their thrones and government. But for this hath great wrath gone forth from the Most High against them, and becaus they wold not suffer Christ to raigne as King in his Church, and did usurp an headship over the same, therefore hath He layed them low and put them downe from their dignity. It concerns others much to learne to fear by their example. Who soever serves themselves heirs to their sinnes, may expect to partake of their judgements.

6. The preservation of religion and liberty was the great motive and end (as is acknowledged by your owne declarations) why these two Nations did engage together in Covenant, which as to Scotland, in regard of the dewtie they are to expect from England, is so clear, that it most needs be acknowledged that they are oblidged to endeavour the preservation thereof. What evasion should be heir found, is more then our understanding can reach unto.

Our doctrine, worship, discipline, and government was not then in the dark, nor wrapt up in generalls, but openly distinctly and clearly held furth and published to the world, and since that time hath received no alteration nor change nor addition, but is the same now that it was then. The obligation also is the same. We know that many accompt little of the tye of the Covenant, and that not a feu cavills and speaks evill against it, and others seeks shifts and evasions to loose them selves from it, but the bond is ratified before Him whose throne is in heaven, who will require it and judge these that deall falsely therein. Wee desire to thinke that your Lordship and others who have taken it, will have that regard to so solemn and sacred a ty, as not to darr wittingly and willingly to do what may incurr the breach of any article thereof, and much lesse will adventure to subvert it from the very foundation, by going crosse to that which was the great scope the people of God in those Nations had before themselves in making of it, to witt the preservation of Religion and libertie. What was it that induced England to call Scotland to their assistance when they were brought low by the late King and his adherents, and what was it that moved Scotland to condescend thereunto, and both Nations to enter in Covenant upon this occasion? Wes it not the danger that the religion and liberty wes like to be in from the popish, prelaticall, and malignant partie? And what a strange crossing of the oath of God shall it be, if these who did covenant with us, to defend and preserve our religion and liberty against the common enemy, should them selves injure or overthrow them!

7. If these courses be prosecuted, they will in all probability infer suffering to the godly in this land, who we thinke shall not obtaine from themselves to approve thereof, nor be consenting thereto; and those whom God hes called to give warning to this people, may conceive themselves bound to give testimony against these courses, which be like will provoke them who have the power, not only to withdraw from such their protection, and to deny

them justice, but to draw them before their tribunalls, and to fyne or consyne, or banish or imprison them as shall seeme good in their eyes. And whither it be for your Lordship and others to doe that, for establishing of a civill interest which may engage so many of the excellent ones in sin or suffering, it concernes you exceedingly even for your owne and Englands good to judge. It is dangerous to build a city or commonwealth with blood. But O ! how dangerous and dreadfull to build it with the blood and oppression of the saints, that cryes aloud in the eares of the Lord of Hosts who doth hear and avenge it speedily !

8. Besides the cry of the calamities and sufferings of the godly, the cry of their prayers and tears will also be against such courses and the authors of them ; and, though wicked men do no thing regard these things, yet all who know the power of prayer and how prevalent it is with God, will have regaird to it. Better many saints against us than one poore saint mourning in a corner and complaining to the King of saints upon us for oppression and wrong.

9. Your Lordship and others with you have contended to the utmost for a libertie to your selves in things religious and civill, which being attained, shall it be improven to the wronging of others in their religion and libertie ? This wold speake more self love or self fear then becomes Christeans. We would hope that these who have so much pleaded for tenderness to be used to the saints, even when they are overtaken in an errour, will, if they esteeme us such, allow some what of it unto us when we plead, not our owne cause, but the cause of trueth and righteousness.

10. It may be thought strange when we are brought so low and in so great straits, that we should keep such a distance, while others who have professed more enimitie against you, and have been no friends unto us, do make morr haist. If the Lord did convince our consciences that neirrer approaches wer a way approven of Himselfe, wherein we might find the light of His countenance, we should follow whither He had called us. But we darr not adventure to goe furth untill He goe before us. If

we had no more to contend for, but the things of a present world, it is like our naturall reason wold perswad us to take the neirest schoire, and teach us the same dissimulation to you and carnall way of safety for our owne temporall things, that the spirit of the world doth suggest unto others, who are led thereby. Butt we darr not walk as men who in this life only have hope. Our consciences will not suffer us so to doe. Wee desire to professe solemnly and sincerely before the Lord, that so farr as we have obtained mercie to know ourselves and our way, it is not implacablenes of spirit nor desire of revenge nor selfishnes nor seiking of our owne things, nor the promotting or upholding any malignant interest and designe, old or new, or any purpose or resolution in us to pre-judice you in any of your just interests, that thus perswadeth us, but the tender regard and love which we desire to have to the excellent and precious ordinances and trueths of Jesus Christ and to His saints, which to us is so dear that we darre not be any way accessorie to be silent at or consenting to any thing that directly or by consequence may bring hazard to these. Therefore wee do obtest and request by the love of the Lord Jesus and of the saints, and by all your former professions of bowells and tendernes and compassion towards the people of God in Scotland, by the Solemn and sacred tye of the oath of God, by your appearing before Him who shall judge the quick and the dead, and as you desire not to be accessorie to our further sufferings, that you wold seriously endeavour that our religion and libertie may be preserved to us intire; and we shall not for our part declyne any good meane which shall be propounded unto us and others of this land who are of integrity, Whereby further convictions of guiltines or obligation of dewty may be held furth to them and us, and we with them may likewise more fully and clearly represent the wrongs which we apprehend to be done, and the danger which we feare in reference to the Lord's work and to His people, that so, if the Lord will, there may be a more distinct understanding betwixt these with whom we have to doe, and

us ; and we in all humility earnestly beseech that your Lordship wold be pleased to imploy your endeavours for obtaining our desires and improving the reasones, with these to whom your Lordship is subordinat in power and place, and who have the power to redresse these our greevances and prevent our feares, which as it will be an great demonstration of your affection and tendernes towards all that love the name of the Lord Jesus Christ in this land, So it will lay verie great obligationes upon
 Your Excellencies humble Servants
 in the Lord.

We have made choyse of this gentleman, Mr. Andrew Ker, our christean brother, whom we have in estimation, to present this letter to your Lordship and communicat our humble desires concerning the registers of this Kirk, touching the prisoners, and to wait for answer. And we have thought good to acquaint your Lordship that we have also intreated the Right Honourable Generall Major Lambert, now here amongst us, to use his endeavours with the rest of the honourable gentlemen joyned with him in Commission from England.

Signed at the desire and in the name of many Professors and Ministers of the Gospell of Jesus Christ mett at Edinburgh the 2nd of January 1652.

By

DECLARATION OR TESTIMONIE OF THE
PROTESTERS IN REFERENCE TO THE
ENGLISH ACTINGS AMONGST US, 17
MARCH 1653

A brotherly and christian exhortation and warning from many Ministers, Elders, and Professours of the Gospell in Scotland, unto those of the English Nation who have been authors of, or had accesse unto, the late or present actings and transactions that concerne this land.

IF the Lord did not speake to us with a strong hand, we should thinke it our wisdome to be found amongst those who keepe silence in an evill tyme ; but when the word of the testimony is in our hearts as a fire shut up in our bones, we are wearie with forbearing, and cannot stay, but must make mention of the things which He hath engraven upon our spirits. It is our purpose to speak of those of the English Nation, whither members of their Parliament, generall officers of their army, Judges higher and lower, and all persons of whatsoever quality and condition, who have been and are engaged in the late and present actings and transactions against this poore Church and land, especially to those who do more solemnly, and in a speciall way professe to have the glorie of the Lord and the true and common interest of all the godlie in all these thrie Nations before their eyes before and above all things else, and who have been and are upon the search and tryall of their wayes in order to sinne and duetie ; ffrom whom we are informed some hints have issued to all the godly in these lands (amongst whom we, though the meanest, desire, not presumptuously, but through the free grace of God, to reckon ourselves) inveiting them to speak the impressions of their hearts, and giving ground

to encouragement that it should be well taken and improved to edification. To these, as before the Lord, we do solemnly protest, that so farr as we have obtained mercie to know ourselves, we do not intertaine these things nor speak these words from any bitter root of enmity and malice, nor from any desire of revenge, though it were in the power of our hands, nor upon anie carnall interest or desire, whither the affecting of power or promoting of humane interests, but from a desire to be found faithfull in a day of tentation by pleading the cause of trueth and righteousnes, by not hating our brother in our heart, but in any wise rebuiking our neighbour, and not suffering sin upon him. Who knoweth but the Lord in whose hand the heart of man is, to turne it about as the rivers of waters, may incline their ears to hearken? If not, let Him doe what seemeth good in His eyes. Wee have done our duety and delivered our owne soules. Therefore do we beseech, by the meeknes and gentlenes of Jesus Christ, and by all the bonds of mercie and of love, that these things may be considered and weighed in the ballance, not of humane interests, but of the Sanctuarie which returneth the true account of everie thing, and that this may be done, not with prejudice, though happily in some things whilst we would speake our hearts, we may faill through infirmitie in choosing right words, but with a spirit of humility and tendernes after earnest prayer and supplication unto God who is the Father of lights, and who maketh His secrets to be with them that feare His name and seek His face.

The Lord Jesus to whom the Isles of the sea wer covenanted of old, did through his tender mercie many hundred yeers agoe visit these two Nations with the light of His glorious Gospell. Neither was it preached to them in vaine, but was effectuall to turne many from darkness unto light, and from the power of Sathan unto God. And from that day forward and downeward throughout many generations hath the Lord had a remnant and a seed in these lands. It is truc that many clouds, and some long and darke nights, have gone over the same, since the

day-spring on high did first visit them. Yet no generation hath wanted its witnesses for the trueth therein, many whereof have been as the sheelds of the earth, men of God, eminent for knowledge, wisdome, humility, holines, love, patience, faithfulness and zeal. In the days of our fathers the Lord, having compassion upon Europe which had long been involved in the bondage of the Romish ignorance, superstition, and idolatrie, did make these nations, each of them after its measure, a sharer of the precious mercie of reformation from Poprie. The Godly in Scotland, perceiving the carnall designs of men of earthly and corrupt mynds, then in place and power over them, did, after much seeking of God, enter in a Covenant with Him, resigning and giving up themselves and the whole Nation to be the Lord's, and to cleave unto His truth, and to walk in His wayes, which was once and againe solemnly sworne and subscribed by the whole land, and followed with many precious blessings from Heaven, both as to the inward power and life of the Gospell upon the spirits of men, and as to outward administrations civill and ecclesiastick. But the hearts of many being not upright with God, this Nation was shortly thereafter againe intangled in yoke of bondage under the usurpation and tyrannie of the prelates, who, as they did first subvert the Government of the Hous of God, so did they afterwards beginn to corrupt the worship of the trueth of the doctrine of the Gospell in matter of frie Graace and justification by faith; and with the rise and growth of the prelates, ignorance and ungodlines did much increase, and the love of knowledge and godlines much decay in the land, and they had in all appearance proceeded unto the carrying us back againe to Rome, if the Lord had not in the year 1637 stirred up the spirits of His people in this land to remember whence they were fallen, and putt it in their hearts to renew their covenant with Him againe, which now for the space of ffourtie yeires had been almost forgotten and burried in oblivion by all except a few, who by the unspeakable goodnes of God, were reserved as witnesses in severall parts of the land against the defection of the time, and

were as precious seed who did take root downeward and bear fruit upward, and did become like the leaven to which Christ compaires the Kingdome of Heaven in the Gospell. Wee shall not repeat what opposition that work of the Lord mett with, both from within amongst ourselves, and from without by the Popish, prelatieall, and malignant party in England, whose designes against the worke and people of God in this Nation being defeated and broken by the mighty arme of the Lord, in a current of strange and wonderfull dispensations and Providences, they did at last turne their furie against England it selfe, by making warre upon the two Houses of Parliament which was so managed by the hand of the Most High, that the two Houses thought fitt affectionately, to press and call for aid and assistance from Scotland, which they were content cheerfully to give their Brethren in England, upon condition that these Nations should be solemnly covenanted and engaged to the Lord to be His people, and to be forth coming for ever thereafter for His glorie, and the mutuall good one of another, in the duties expressed and contained in that covenant, which by the good hand of God was mutually transacted and solemnly sworne and subscribed in both Nations, by the Representatives and all ranks of persons, and was attended with the glorious out goings of God upon the hearts both of His people and of His enemies, so that from that day and upward, the one did stand up and revive and prosper and flourish, and the wther wither and decay, and wer broken and did stumble and fall. This did make us and many of His gracious ones in these lands, full of hope, and with confidence to promise unto them selves that a glorious high throne for the Lord should be erected in these Nations, wherein He should reigne over the same, as over His married lands, in the puritie and power of His ordinances, and the inhabitants thereof, should pleasantly dwell together, as Brethren being of one heart and of one mynd, and walking in one way. In which hope wee were the more strenthened, when we did see that by the authority of the Parliament of England, an Assembly of godly and

learned divines were called to search after the mynd of the Lord in things religious, in doctrine, worship, discipline, and government, to which also this Nation and Church were honoured to send their commissioners, that they might come and be assisting therein, and that after much supplication unto God, and long and accurat search, they did from the word of the Lord represent unto the honourable Houses a modell of all these things which as they wer more fullie approven in this Nation, so were they for the most part approven also by them. But how sad disappointment have wee mett with in these things, and that by the hand of those with whom wee tooke sweet counsell, and with whom we went to the house of God together, and for whom (the Lord knowes) in the simplicitie of our hearts, we took our lives in our hands against their and our enemies, and from whom (though even then we were not altogether ignorant of the opinions of some, and from the fear of the growth of them, tooke care to provyde against it in the covenant) yet it entered not into our hearts, nor came into our mynds, to fear any such thing, as is now come to passe, though these who meant evill to us both, did in the bitterness of their spirit often times wish that fire might come out from the one to devour the other of us, the beholding of which, as it is now the matter of their insulting and joy, so doth it adde affliction to our sorrow ! But we desire to bear the indignation of the Lord, becaus we have sinned against Him. It is not our purpose to speake to what hath passed in England, or to plead our owne innocencie. Whilst we call upon others to take with guiltines, wee have endeavoured first to search our owne sinnes and the sinnes of our land, and have solemnly confessed the same unto God, and published it unto the world, that all who shall hear of these things may say righteousnes belongeth unto the Lord, but confusion of face to us, to our Kings, to our princes, our ministers and people, as appeareth this day, becaus we have so sinned against Him. But we intend mainly to speak to the Actings of the English in order to this Nation and Church whereof we are members. We are not of implac-

able and vindictive spirits, though the blood of our Brethren, and of many amongst us, dear unto God, hath been shed as water spilt upon the ground; and though many have died in prisons, and been sold and sent away unto strange lands, where we doubt if they can heare the joyfull sound, a condition litle better then death, yet doe we find in our hearts to forgive all men, even as we desire to be forgiven. It is high time for us, after so many dayes of affliction and sorrow, to remitt the height of our naturall spirits, and to humble our selves under the mighty hand of God, and to pardon such as have done us wrong. Onlie we desire the authors and abettors of the invasion of this land in the year 1650, for their owne soule's sake, and that sinne and blood guiltines may not continue to lye at their doore againe and againe as before the Lord, impartiallie to search and try the grounds of that warr. Wee meane not to enter into an debate upon it. Presumptions there are at the best, of hazard and danger unto them selves from this Nation, that could in reason be alleged. Wee darre say and avow it before the world, that there was no engagement nor resolution of State or Kirk at that time, to invade England, or these that have invaded us, and that for guarding against any underhand inclinations and dealings that might be in some, that this was carefully provided for, both in the matter of the Treatie with the King, and in the levyng of fforces and putting the Kingdome in a posture of defence, of which tymeous publict intimation was given by the Parliament of Scotland to those who were in greatest power and place in England, long before the comeing of their forces into this Kingdome. Therefore, though we cannot but justifie the Lord and confesse that as to Him=wards wee and the whole land were transgressours, yet do we professe in His sight, that all the fire of our afflictions hath not made us to see the justice and necessity of that invasion upon their part, and, though it be true that both we and they may be suspected as partiall judges in our owne cause, yet doth the day of adversity ordinarily putt men upon a more accurat search and

further discovery of their owne way, than the day of prosperity and success doth, as many experiences have taught us, and some experiences have hinted unto them, and more may, in the Lord's not onlie righteous and wise, but also mercifull and gracious dispensation, more fully teach them hereafter. It is true they make solemne appeale unto God. But, as we know no law nor testimony of the Lord, that warranteth us to take success even upon appeale for divine approbation as to the equity of a cause, which made these of this Nation not to accept of that way, as of the way of infallible judgement, as may be seen in the answers which they then gave, so do we desire to putt them in mynd that the first solemne appeales which we remember to have been made in these lands these years past, were made by King Charles, who though he did prosper once and againe against the Parliament of England, yet was it no evidence of the goodnes of this cause, nor of the Lord's last sentence in that contraversy. We confesse that to flesh and blood it is a thing difficult, if not impossible, for men so deeply engaged, and having so many things as to outward dispensations, that speake a confirmation of their way, to be convinced of a wrong without an irresistible power from above working stronglie upon the soule. Therefore, as what we say shall through the mercie and strength of God be attended with our prayers, so doe we desire them, not to slight it, but that it also may be attended with theirs, and with a strict search and examination according to the law and the testimonie, as if this were the day wherein they were breathing out their soules, which day cannot be farr off either from them or us. But that which sticketh more with us, as being of greater consequence in itselfe, and also unto us, is their assuming unto themselves, by right as it were of conquest, the whole power of disposing of this Nation, in all its precious interests relating unto religion and libertie. It may seeme to be Scotland's both honour and happines to be united into one body with England; and many essays there have been both of old and of late, upon severall grounds and accounts to bring

it to passe, which the Most High who divided the Nations and separated the Sones of Adam hath hitherto made ineffectuall. That it is a thing in it selfe desirable (being carried on by the mutuall and free choyce and consent of both, and upon right grounds, and in order to religious and right ends, rightlie placed and orderlie pursued), we doe acknowledge, and which we would, so farr as is competent for us, in our stations and callings, be willing to endeavour. But that these in the one Nation should upon presumed dangers take upon them to change the Government, and to dispose of the other according to their owne arbitrimment and pleasure, because it is in the power of their hand so to doe, as having prevailed over them and putt them out of the capacity to defend themselves, is more then the law of equitie and righteousness will allow. It was hard measure for the men of Israell that because the Lord was wrath with Judah and did deliver them into their hand, that they did not only slay them in a rage that reached up to heaven, but also purposed to keep under the Children of Judah and Jerusalem for bond men and bond women unto them, when there were with them, even with them also sinners against the Lord their God. And it had been yet harder (though they could pretend to as specious grounds of a just warre) if they had not only so done, but also have made conquest of Judah and Jerusalem themselves, and incorporated them into one kingdome with Israell, advanceing the throne of Samaria over the two tribes, and proclaiming libertie unto them to worship at Dan and at Bethell, or at Jerusalem or where or in what manner they pleased. Edom is sadly threatened by the prophet Ezekeill, because after he had shedd the blood of his Brethren, he said that these tuo Nations and these tuo countries should be his, and that he would possess it where as the Lord was there. There is no respect of persons nor of parties with God. His throne is in heaven, and He is the Lord who changeth not, but judgeth righteously amongst all persons and parties in all the earth and throughout all generations. And if there be iniquity and oppression in wronging our

libertie, there is caus to be affrayed that, though we can doe no more but cry, yet if it be not taken with and repented of, that the Lord will hear in heaven His dwelling place, and come downe and see whether these things be altogether according to the cry which is come up unto Him. And whilst we are speaking of this, we cannot passe over in silence that engagements have been and are tendered unto and pressed upon sundrie of this Nation in severall parts of the land, which to us seemeth the more strange, not onlie because these engagements in things civill are pressed whilst covenants in things religious are casten loose, but also because they prove but a snare to the godly, to make them to suffer, whilst others swallow them downe, and yet thinke them selves no faster bound thereby, than if they had not taken them at all. And here we cannot but also mention that which is, and hath been to us for a long time past, a riddle that we cannot resolve, though yet we have in some measure searched it in the simplicity of our hearts, that is, how this land should have been invaded and a warre prosecuted against it, becaus of owning and complying with the malignant partie, and a great number of the same individuall persons, should be owned and complied with, countenanced, imployed and made use of, in the greatest affairs of this Nation, and in these very transactions and establishments that concern the settling thereof and the secureing of England for the time to come. Was it a sinne for us to owne them and comply with them, and such a sinne as could bear the weight of a warre, and the weight of a right of conquest after victorie, and shall it not be a sinne in others to countenance and comply with them and imploy them, when it comes to the promoteing of their owne interests and securitie? Diverse ballances are an abomination unto the Lord, and we wish that these things may be againe weighed in the ballance of the sanctuary. If there were no more but these things, wee should happily have holden our peace; but that which afflicts us most and forceth us to cry out of violence (and would to God, we could cry aloud and lift up our voyce like a trumpet

to shew the English their sin in it !) is that they have in a great measure kept waste and layed waste the House of the Lord. And being now to speake of this sad subject, we desire not to be mistaken, as though we did lay the weight of all religion upon the matter of Presbyteriall Government. Wee doe acknowledge and assert it to be a divyne ordinance, the overturning of which or encroaching thereupon, cannot but provock the Lord and be prejudiciall to Religion. But we look upon it as a more excellent thing, to have all the people of God in love, with the reality and power of godlinesse, in a practicall and experimentall neernes and intimat communion with God in the mediator, Jesus Christ, in feeling the sweet emanations and quickening and comfortable influences of His spirit, and desire highly to esteeme, and, with our soules, to love all the Lord's excellent ones in both Nations. who bear His image in any measure, and are acquainted with the wayes of God upon the heart, and made partakers of righteousness, and peace, and joy in the holy Ghost, which to us is the Kingdome of God and His Tabernacle with men, and is and ought to be most in our souls' estimation and desires that it may be promoted and preserved, and (we fear exceedingly) cannot but be borne downe and steifled by a flood of atheisme and errours, vaine speculations, neglect, and contempt of ordinances, and loose walking, which hath overflowed these lands, and is by tolleration like to be continued therein. We shall not speake of what hath been done, and hath been obstructed and hindered to be done in England and Ireland. But as to this Nation, whither we speake in regard of obstructing what was done in it, when the English invaded the land, or of their legall establishments and practises, as to things religious since their prevailing, as they have sorely wounded our hearts, so we are affrayed that they have greevously provoked God against themselves. This Church was upon a fair way of purging out ignorant corrupt and scandalous Ministers and Elders, and in a way of more tendernes and circumspection and care in admitting of persons to the sacrement of the Lord's

Supper. And, as before that tyme they had made a considerable progresse in these things, so had they in that verie period of time, (the Assembly being then sitting) appoynted many Committees for visiting of severall provinces and presbyteries throughout the land, who if they had gotten leave to sitt, had in all appearance, by the blessing of God, ridd the House of God in Scotland of many unqualified and corrupt officers. They were also in a good way for bearing doune all impiety and ungodlines, and promoting the power and life of religion, all which was interrupted by their invasion, and our church since that time needfully divided in itselfe by a question, (though often before that time determined, yet then againe staired, and upon advantage of the times, carried contrarie to former right resolutions) to witt, whom it was lawfull to imploy in counsell and in armies in the case of forraigne invasion. Neither was the interruption more sadd than the effect of it; and of other things accompanieng it (by the advantage of their way since that time) have been poperie, wickednesse, and disaffection to pietie, lifting up the head everie where, and many papists who were formerly excommunicated and departed forth of the land, (some of them many years agoe) having now returned, and the wicked having the godlie in contempt and derision, and oppressing them everie day; and many malignant and disaffected in this Nation, who were removed from place of power and trust, becaus of their accession to the unlawfull engagement in the year 1648, having taken the tender, are now againe imployed, which stumbleth the more, becaus that engagement was made on of the grounds of the warre against this nation. Their legall establishments, so farre as we have yet knowne or seene of them, doe not only pluck up the divine authoritie of Nationall and Synodall Assemblies and Presbyteries and make them as to the exerceis of their power to be subordinat unto, and to derive it from the Civile magistrate, yea giveth to them upon the matter the exercise of the Ecclesiastick power, to witt the cognosing and judging of the qualification of Ministers, in order to the exerceis

of the Ministeriall function, and to approve them at their admission, to remove them being admitted ; and power to allow or deny them maintenance as he thinks fitt, and to intermiddle with and dispose of all vacand stipends at his pleasure, but also holdeth forth a vast tolleration of many diverse wayes in Religion, by allowing the same protection, countenance, and encouragement to those who shall worship God, in any other Gospell way (as it is termed) which they do allow to these who shall worship God after the form of the Church of Scotland. Yea, more is allowed to those then to the other, becaus a foundation is layed for taking from the Church of Scotland the libertie of some ordinances which they hold to be divine, but not so from the other, and in no thing are they restrained, but in licentious practises, and their behaviour to the common wealth. Wee have no delight in reckoning of these things ; we are conscious to our selves of our owne faillings, and know that in the best ordered states and churches there may be always found some thing that is amisse. But we speake of things that are the consequents of the Law, at least that are connived at, and not taken notice of or punished accordingly to the law ; and so from being personall commeth upon the account of publict provocations. How much and frequently the Church power is meddled with through out the land is better knowne then that we need to mention, and some things groslye caried to the sensible prejudice of many hundreds of soules, and albeit often regrated yet not helped, which we forbear to mention, lest we should provock instead of edefieing ! It is denyed that blasphemies are tollerated ; and we doe not question that many doe abhore them. But to say nothing of multitudes of errours that are daylie vented in this land in the matter of free grace, justification, the law, sinne, redemption, repentance, sanctification, salvation, and the ordinances of the word, prayer, the Sacraments of Baptisme and the Lord's Supper, singing of Psalmes, the ordinance of the Ministerie, and the Government, and administrations of the house of God, there be horrible blasphemies against the highest and

first foundations, not only of the christean religion, but of all Religion (which our soules abhorre to name) vented by some in the Army, which we speake not by faithfull report alone, but as having heard some of them ourselves. The Lord's Day is prophaned almost everie where. Yea, to us it seems amongst many to be a receaved opinion that no more regaird is to be had unto it then unto other dayes, and that not a few take avowed and professed licence herein, that by their practise they may so farre as they can root out of the heart of others the opinion of any divine institution that is ingraven upon it, by which many of the people of this land who through their owne corruption are too prone to loosnes, are provoked to neglect the sanctifying thereof and to rune to the same excesse of riott. Besides intrusions that are made upon the Pulpits and Church of some ministers by some who are authorized to preach, there be not a few who are not at all authorized, who doe it in severall parts of the land from day to day. Yea, some doe it who, were it not the reproach of the Gospell, and their owne guilt, and the guilt of those who have charge over them, it needed not so much trouble us, their carriage and conversation, becaus of their loose and untender walking so mainfestly refuteing their preaching and profession. If we knew how to speake it without provoking, and so as it might appear to be spoken with compassion and in love, and not in bitterness and in wrath, wee professe and testifie unto the consciences of these with whom wee have to doe in these things, that now after tryell, wee have, by the things which we have heard and seene in our owne land, found, as to the matter of judgement and opinion in things religious, much of that to be true, that was brought to us by the report of books and testimonies from England, and as to the matter of practise and conversation, more lossnesse than we did beleve, before we saw it with our eyes. It becomes us to roll ourselves in the dust, and not to boast of any thing that is ours. We are men of polluted lippis, and dwell amongst a people of poluted lippis. But, reserving a better testimony to all these of the English Nation to whom

it is due, wee may say of many that their presence among us hath lessened the report of their blamelesse walking, and of the soundnesse of their judgement as to most things that relate to divine truthes and the ordnances of Jesus Christ. God forbid that we should provocke the Lord, or give just cause of offence to any by our foolish boasting ! But we thinke that if any of these ways which are called other Gospell wayes, were under as much affliction in this land, as that which is called the way of the Scottish churches, that they should not overgrow it in gathering of soules and in true pietie and godlines, yea, we desire in soberness of mynd, and to the praise of the King of Saints, whose work alone is impartially so farr as we can try it, to testify that in these two yeeres last past under all our affliction, more are brought under the banner of Christ's Love in Scotland, in that way of the Scottish Church, than all those who have departed from her either to one (so called) Gospell way or to another, albeit loosnes and prophanity be much increased, in the body of the Nation. That vast tolleration which now for some yeares hath been allowed in England, and seemes to be established in the declarations and transactions relating to this Nation, and is already in a great measure and lyke more to be practised therein, our soules cannot away with, but must testifie against it, as contrarie to the law, and to the testimony of Jesus Christ, and destructive to the precious truthes and ordnances of God, and to piety and godlines, and as an inlett to owne atheisme, loosnesse, and prophanity. Was not a perfect patterne shewne to Moses in the Mount ? And was he not commanded to make all these things according to the patterne ? And is he not commended for being faithfull in all the House of God for so doing ? And is not the same testimony upon the same ground borne unto Jesus Christ, that He was faithfull in all the House of God, Moses as a servant, but Christ as a sonne ? We take it to be above contraversie, that even under the new Testament and Gospell administrations the Lord has layd doune in His word the forme of His House and the fashion thereof, and the goings out thereof, and

the comeings in thereof, and all the formes thereof, and all the lawes thereof, and hath commanded to writt them in the sight of His people that they may keepe the whole forme thereof, and all the ordinances thereof, and doe them. And as it was the commendation of the civile Magistrate under the Old Testament to provide that whatsoever was commanded by the God of Heaven should be diligently done for the House of the God of Heaven, so it is also his glorie, and ductie under the New Testament to take care that all those who professe the name of the Lord Jesus, may under Him live a quiet and peaceable life, in all godlinesse and honestie. Doeth not all godlines exclude whatsoever is contrary or destructive to any precious truth or command or ordinance of Jesus Christ? Are they not ordained of God to be a terrour to evill works? And are not the heresies and errours such? Hath not the Lord given them to be nursing fathers to His Church? And shall they foster upon their breasts and dandle upon their knees with equall protection countenance and encouragement those who teach and professe lies, and practise will worship (which things are begotten of the seed of the serpent, and be from him who is the father of lies) as they doe these, who teach and professe the pure unspotted truth of God, and practise and worship according to the rule thereof? What is this but to sett Dagon as high as the Arke of the Lord, and to make the Lord to say unto Magistrats, 'I have said, ye are Gods and all of you are the children of the most high, but your spott is not the spott of my children, becaus you doe not honour your Father which is in Heaven, by appointing all things to be diligentlie done for the Hous which are commanded by Him who is the Lord or master thereof'? We are not ignorant of what is spoken of the difference of things fundamentall and not fundamentall; but besides that, in practise we see not a few things that destroy the foundations tolerated, and that fundamentals are not determined nor condescended upon (unles they be confyned to those in religion that are not contrarie to the light of nature). Shall the glorious superstructures of divine truthes be

suffered to be throwne doune, and not only hay and stubble, but dirt and pudle be built upon the foundation, and no thing done against the doers thereof? Are the staires and walles, and windowes, and rafters, and the roofe of the Lord's Temple of no value? Let consciences speake as before the Lord. Would any of us thinke this sufficient measure for our owne houses, to make a law that no man should be suffered to raise the foundation thereof, but that no thing should be done to those who have digged through the wall or sett the roofe on fire? Experience telleth us that, as more houses perish by neglecting or uncovering the roofe than by overturning the foundations, so also more churches, by conniving at or promoting of errorrs against truthes that are mere remote, than against those that are fundamentall. Neither doth it satisfie that is told us by others, that no thing is to be tolerated, that is contrarie to sober and pious walking, becaus, as wee see it not condiscended upon what errorrs are contrarie to sober and pious walking, so do we perceave that, in the judgement of many, verie many grosse errorrs may not only consist with sober and pious walking, but are also little or no thing prejudiciall to the same. It seemeth that trueth and pietie are children bred in one wombe, begotten of one father, and that in so farr as the one is wanting, in so far is the other weakened and prejudged. Wee know not well how to distinguish them, much lesse know how to separate them. What is pietie but the soule's humble subjecting itself unto God, and the receaving and embracing and adoreing and honouring and loving of Him in the acknowledgement of His trueth and obeying of His commands? And what is sober walking but the fruit of this? Wee deny not but they may be pious who are ignorant of many truths, yea, who are possessed with errorrs not a few. So may they also be gracious who are ignorant of many dueties, yea, who in many things walke contrarie to their duetic. But this we hold and assert, that, as the Lord who is the God of trueth, holines, and righteousness, hath in His Word holden forth unto us a perfect and exact rule concerning

all these (in conformity where unto stands the image of God in the soule), so is it our duety to endeavour the same in all things; and how farr we come short thereof in any thing, or intertaine any thing contrarie thereunto, in so far we fall short of, and intertain things contrary unto, and in them selves destructive of the image and life of God, though through the tender mercie and superaboundant goodnes of God it is so ordered that they doe not totallie destroy this spirit of life in the saints; which yet is no ground either for them selves or for others to allow them therein, but ought to make themselves ashamed thereof, and others to instruct and rebuike them, and having power, after due paines taken upon them, by information and admonition, if they continue and prove obstinat therein, to correct and censure them according to the measure and degree of their offence. What soever may be objected concerning those who exercise power over a people, who are not yet brought under the obedience of the Gospell, or who hath hitherto (according to the language of these times) been serving God in diverse Gospell wayes, that can not have place in our case, becaus this whole land has now for a great many years been serving God in one and the same Gospell way, which as it is according to the law and to the testimony of God, so it is established by the lawes of the land (after which we are said to be governed in other things); and though some may have endeavoured the change of our law in the matters of God upon some principle of conscience, yet we fear that with many state interest hath borne too much sway, to witt, that as to things religious wee might be casten in the same mould with England, as being to be putt under one civile Government with them, with the peace whereof and union, in which the cleaving closelie to the way of Religion formerly established in Scotland seemed not to be consistent. It is not time out of mynd how upon such a politick and state account King James would needs have the church of Scotland ruled by prelates, and to receave the ceremonies, that there might be conformity with England in these things, which was so far

from establishing his throne (though so intended by him) that from this verie thing did spring these troubles that have shaken and over throwne the same; and many of the English tell us that to their apprehension, the Scots endeavouring to impose upon them as to things religious is one cause of our present troubles. And is it not as great a fault to cast loose a Religion already established as to endeavour to establish one not yet received (to say no thing to the difference upon the matter)? Surely if it was a fault in these of this Nation to endeavour the one in a peaceable way, and by the strength of persuasion and reason from the word of God, and in the persecution of a covenant made for that end, it must be a greater fault to do the other violentlie and by the power of the sword. How barren toleration is as to the increase of the knowledge of God, and growth of piety and godlinesse, we desire to give no other instance of it, than may be seen in these united provinces with whom the English are now contending by warre, in which, though we doubt not but the Lord has a considerable number who doe belong to Himself and who studie to know God and walke according to the Gospell, yet are they as to the generality of them, by the confession of all who know them, a people ignorant of God, estranged from the life and power of godlines, and walking loosly and carnally, though in the beginning of that state and of asserting their liberty there were amongst them many zealous of Religions. This instance we doe the rather propone, because if we doe not mistake the dispensations of the Almighty in the present warre betwixt them and the English, they do call upon both to consider whither they be in the Lord's way as to that vast toleration in things Religious that is equallie allowed by both and will call more lowdlie to the examination of this thing, if the warre continue, or if the one of them fall under the other. Our soules are also greeved with these encroachments that are made by the civill power upon the privileges of the Church, in the power of her Courts and judicatories, in the admitting and removing of Ministers, and by their disposing upon their maintenance and stipends at pleasure,

these Church priviledges being not only allowed and confirmed by the lawes of the land, but founded upon and consonant to the word of God. All sound divynes, whither of the Congregationall or Presbyteriall way, doe teach from the Scriptures that the civill and Ecclesiastick powers and government are in them selves distinct, having distinct foundations, distinct officers, distinct lawes, distinct administrations and censures, distinct objects and ends. The Kingdome of Jesus Christ is not of this world. And to the officers of His house, and not to the civile magistrat, hath He given the keys thereof, to open and shutt, not by the power nor at the command of the civill magistrat, or according to the civile law, but by the power and authoritie and at the command and according to the law of Jesus Christ. It is also acknowledged as manifest truth taught in the Word of God, that the maintenance of Ministers is of a divyne institution, and the particuler proportions and allocations being confirmed and established by the lawes of the land. How it should be withdrawne or other wayes disposed of, than, for the maintenance of the Ministers of the Gospell, attending and discharging the duties of their calling in the respective congregations, or how Ministers called by those congregations and tryed and found qualified and being ordained by their Presbyteries, should not have right thereunto, and be permitted to enjoy the same, is that which we doe not understand, and makes us affraid that by these meanes the ministrie may either be brought into bondage, to speake or to be silent at the pleasure and arbitrement of civile powers, or els through penurie and want be forced to desert their stations, or that for the time to come there shall not be an open doore to those who are to enter into the Ministerie, unles they do somewhat that may upon the matter involve them into an acknowledgement of these encroachments. The Lord in many generations hath sett remarkable beacons upon the mountaine of His House, and hath there raised heapes of the ruines of the princes and powers of the world, that hath meddled with or encroached upon the land markes thereof, to remove them; and no age nor place of

the world hath brought forth more signall examples of His indignation against such, than our dayes and this island hath done. Why hath so much wrath been against the King and his house and against many of the great ones in these lands but becaus of this thing? Others would learn to be wise, and look to the powers that hath fallen under them, that they doe not partake of their sinnes, least they also partake of their plagues. These things are sinfull and grievous, but the more sinfull in them selves, and greevous unto us, because they are after the engagement of these Nations in a solemne covenant with God, and mutuallie one with another, unto contrarie dueties. Wee read and hear many things that are industriously printed and spread for loosing the bond of the covenant or placing the performance of the articles thereof in things that to our best understanding are contrarie unto and destructive of the dueties contained therein. And some, taking a more compendious way, cast reproaches upon it and cutt it asunder, telling us that it was unwarrantably made. For our parts wee dare be consenting to none of these, yea, cannot but testify against them, and proclame the standing obligation that is upon these Nations to the dueties contained in the Solemne League and Covenant. And, as wee are convinced in our consciences, that becaus of Scotland dealling falslie in the Covenant in many things relateing to the articles thereof, and more especiallie of late in the matter of the treatie with the King, and owning and complying with malignant parties and interests, that therefore is great wrath gone forth from the Lord, and made to rest upon it, so are wee affraid that if the riches of the Lord's mercie doe not prevent, by giving repentance unto the acknowledgement of it, that our neighbours in England also shall be made to drinke of the same cup for breaking and for burying of the Covenant. Wee professe that we stand amazed and wonder how gracious hearts amongst the English who are engaged in the present actings, doe satisfie themselves in the matter of the Covenant, especiallie in these articles that concerne the preserving of the worke of reformation

in Scotland, in doctrine, worship, discipline and government, and the worke of uniformity and the extirpation of heresie, errour, schisme, and prophannesse. Some say they never subscribed it. But sure we are that many of them have sworne and subscribed it; and that the Commissioners sent from England did swear and subscribe it here in Edinburgh; and that the Parliament which is the land's representative and the Assembly of divines and the body of the Ministerie did swear and subscribe it; and that it was an ordinance of both houses for the whole lands taking of it; and that it was sworne and subscribed in London and other cities and townes and by many of the people throughout the Countrey; as likewayes that there was a particular ordinance for takeing the same in the Army, and that not onlie the Cheefe Officers but many others did swear and signe it. Wee cannot but in this place take notice of one thing, which our eares thought [not ?] to have heard, nor our eyes to have scene, to witt, that by the command of these powers there is expresse inhibition to the Colledges and Universities of this land anent the taking of the Covenant, which to us is a demonstration clear enough that it is intended that it should be had no more in remembrance. How the Lord should will away with these things wee cannot see. He is a jealous God, a great and terrible God, that keepeth Covenant; and His desire and command is that we should also keep Covenant. And how dreadfull are these things which He threatened and brought upon His owne people Israell becaus they did not keep covenant, but dealt falslie therein!

These are a summe of the things which the Lord hath engraven upon our spirits concerning the sin and guilt of the present powers and such as follow their way, in which also by the law of contraries, grounded upon the commandements of God, they may as in a glasse behold what we conceave to be their duetie. We know that many things stand in the way of receaving and pondering of these things nakedlie and in simplicitie and love. Once we did speake and writt before to persons that are eminent

and of great note amongst them, much to the same purpose, for preventing encroachments upon our religion and libertie. But through the good pleasure of God, and the purposes and Counsell of men, the way was stopped that we could not have accesse to be heard, much lesse to have any satisfieing answer returned unto us. And the same may haply now be our lot. Wee shall account it a mercie from the Lord if those who are concerned in those things, will be at the paines to read the roll, and to make it for a while in sobernes of mynd the subject matter of enquiryng at their owne hearts, and communing one with another about it, and of their prayers and supplications unto God, that what is here of the mynd of the Lord, or that is agreeable to his word, He would reveale and make the same knowne to some amongst them, and not as the King of Judah to hear with indignation and thereafter to cutt it with the pen knife and to cast it into the fire, or to make it a snaire to the owners of it. Wee may be suspected as impatient of the Government of others, where wee have not a large shair of administrations our selves. But such of us as have been imployed, have found such experience of our owne weaknesse and so small advantage as to the increase of the life of God, whilst wee were in these things, that if we desire to avoid snares and tender our soules' thryving, it were great weaknesse to be ambitious thereof. Wee envy none the honour nor others the happines, that they should rule for God and the good of His people; and were this all the Contest who should be in power, wee thinke that we deserve to be reckoned amongst the foolish ones, if we should contend for that in which (as to men) there is so much vanity and vexation of spirit. If the Lord Jesus may reigne in the purity and power of His ordinances, godlines thryve, and His people be governed in equity and rightcousnesse, we have our hearts desire; and though we should be disappointed in these things, wee may well mourne for, and testifie against what is amisse, but have it not in our hearts to lift up ourselves. We may also be looked upon as no friends to the interest of those to whom we speake. But our hearts challenge us not of opposing

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their trewest and best interests which stand in delyvering them from sin and snares, and bringing them to subordinat all their interest to the interest of the Lord Jesus Christ and of His Kingdome, the want whereof doth much staine the pride of all their glorie. It is the great desire of our soules that the King of Saints, the Covenanted God of these Nations, may be sett high upon the throne of His glorie, to reigne over the same in the power of truth and holinesse, and equity and righteousnesse, that so the arme of the wicked may be broken, and enmity to the truth and godlines borne doune, and the godlie and righteous man may sett up the head, and may be had in esteeme, that the Lord's Ministers may be cloathed with salvation, and His saints shout for joy, in the enjoyment of their Lord, and in the mutuall enjoyment one of another. And to whomsoever the Lord shall be gracious, by making them in their stations and according to the right rule, to owne and promove so honourable and so excellent ends, to these shall our soules cleave, if it were to wash their feet. Wee shall say no more, as knowing that it is not words, bot the arme of the most high that can convince and persuade souls. To Him therefore who is the God of the spirits of all flesh, wee do commend these things, with some breathings of confidence and hope, that the Lord who putt it in the hearts of His people in these Nations to joyne themselves in a Covenant to the Lord, and one unto another, had it not in His heart to make the end of all these things confusion and rwine, and that for truth, we should have error and delusion; for holinesse, prophanitie and loosnesse; for equitie and justice, oppression and violence; for unitie, division; for love, contention and strife; and for peace, warre; but that His thoughts to His people in that dispensation were thoughts of peace and not of evill, to give them an expected end; and that therefore, as He hath been glorious in the outgoings of His providence in doing great and wonderfull things of providence both of mercie and justice, So meaneth Hee yet to be more wonderfull in His outgoings, upon the hearts of His people in this Island, in causing them know their

iniquities and why He contends, and in making them lament after the Lord, because they have perverted their wayes, and in turning their hearts unto Himself, and one unto another, that their reproach may be taken away and their wound healed, and their rwinnes repared, And that the name of the Lord may be one, and His way one amongst them, and that they may live and duell together in peace and love under the honourable profession and sweet enjoyment of the precious truths of God, and comfortable profession of the uncomparable priviledges of the Gospell. So be it, Lord, even so be it, So be it, O Lord, even so be it !

Subscribed at the desire and in the name of many Ministers and Elders and professours of the Gospell of Jesus Christ mett at Edinburgh the 17th of March 1653.

By Sic Subscritur

Mr. A. JOHNSTON

Jo: CHRISTIE

D. WEMISS

R. HALKET

Mr. Jo: INGLIS

AL: PRINGLE

Mr. ANDREW CANT

Mr. SAMUELL RUTHERFURD

Mr. JAMES GUTHRIE

Mr. Ro: TRAILL

Mr. EPHAM MELVILL

Mr. JOHN NEVAY.

PROTESTERS' DECLARATION OR EXHORTATION TO THE SEPARATISTS IN ABERDEEN

A Christian and brotherlie exhortation and Warning from many Ministers and Professours of the Gospell at Edinburgh the 17 March 1653, to some of their Brethren at Aberdene and to all others within the land who being members of this Kirk have already declined or do anie way incline to the wayes of Separation.

IT hath been the earnest longing and expectation of many who desire to fear the great and dreadfull name of the Lord our God, that ere this day there should have been scene more suteablenes to the Gospell of Christ, and unto the many gracious dayes of our renued espousalls by covenant with Him who is the King of Saints, that there might be a more high and glorious throne in the hearts and conversation of His people; and that in the officers of His house and the administration of the precious and pure ordinances wherewith we have been previledged, we might looke more like the planting of the Lord that He might be glorified. How much this hath layen on the spirits of His servants and people for a long tyme, and what endeavours there have been for the same, and what afarr way we were like to be led upon for attaining thereof before the late distractions and interruptions, we shall not now mention nor clear ourselves altogether of negligence in the work unto which sinfull discouragement had no small influence upon us. But amongst all the glorious and holy designes of God in the late and present confusions and differences, we conceive the purpose of His heart aimeth not a little toward this as a great part of His holy and honourable work which He is to accomplish, upon the mount of His house in the land. Upon consideration whereof having seriously sought unto God in severall of

our former meetings in this place and communicated our light from time to time one with another what we might doe in our severall places and stations to get these corners of the Lord's vine yard which are under our owne charge, brought unto some suteablenes, we esteemed it a great part of our bussines at this tyme while we were together to enquire amongst our selves what fruite or successe our former resolutions and weake endeavours have had through the Lord's blessing in the severall bounds where wee reside ; and we have been much refreshed of the Lord to hear of the day of small things, that there is any reviving in the land and that the river running through the City of God is not dried up, but severall places become pooles of water and springs created in the dry and desolate places of the wilderness. And we are confirmed in our hope from the Lord's countenancing of the litle mints and endeavours of His servants for promoting the power of godlines that the waters of our sanctuary shall not faile, but shall increase more and more, and that the hand breadth of the cloud which His people have seen, and the fleeing showers of the former and latter raine which hath been felt, shall spread and abound unto a plentiful raine upon the inheritance of the Lord for confirming of it when it is wearie and many persons are fainting, some through the afflictions of the time waxing cold in their love to the worke of God and the interests of Christ, and others being caryed a side from their steadfastnes through manifold tentations unto manifold bywayes and pathes not formerly trodden nor cast up. Amongst other dueties lying upon us in reference to others, wee apprehend the Lord calling upon us to say some what to His people in this land anent the way of separation from this Church, to which the inclination of some is working, and into which severall already have involved themselves, especially some of our christean friends and brethren at Aberdene. And albeit we have not a litle laboured with them formerly by letters and faithfull and able men of our number sent unto them, without attaining the wished end of their establishment and received unto the fellowship of the Church, yet the

zeal of God and love of our brethren and the sad apprehensions we have of the consequences that will follow upon their separating or continuing therein, and their owne hazard thereby from snares leading to greater evils, doth cary us on unto some further endeavours for that end, knowing that the Lord is mighty to ransom His captivated people out of snares and dangers, especieallie such of them as have known His name, and have been sanctified by His trueth and quickened by the immortall word and pure ordinances dispensed unto them in their fellowship with us. Wee know it hath not a litle swayed and prevailed with many, that they have apprehended the work of purging of Elderships and communions to be altogether impossible, especieallie since the last differences and breaches were with the Ecclesiastick power in this Church, hath been weakened. But we must professe it for the use of the Lord's people and for challengeing our selves for our owne slacknese and unbeleefe where with our hands have been not a litle enfeebled in that worke, that by the Lord's remarkable countenancing of the weake and honest endeavours which have been made and followed already in that worke, in His strength we are encouraged to look upon the remeady of remaining difficulties where with each of us have to wrestle, as more hopefull then we have some time beleevd the attaining of that which is already done. We doe therefore seriously beseech and obtest all such of the Lord's people in this land, who are upon the thoughts of the way of separation, that they would not make haste to lay themselves open unto the prevailing tentations of the time towards that way, and that they would put on the armour of God even against such things in themselves which may hazard their standing fast in the present truth which they have receaved and sworne, that they would be sober and vigilant etc. and have their hearts established with grace and not with stryfes about words, that they be not as children tossed to and fro in a winnowing time, and that they would beware of an unstable and unsober mynd where with the trueth hath been cheeflie subverted in all times of tentation. Many

hundreds and thousands the Lord hath begotten unto Himself in the fellowship of this Church, and hath manifested Himself unto them in his ordinances, even when there hath not been that tendernes in purgeing out naughtie persons from the Lord's Table, which both ought to have been endeavoured and might have been attained. And we are perswaded that it hath never occurred that any of the Lord's people have mett with dammage to their soules by continewing in the fellowship of the Church of Scotland in the ordinances hitherto with us, and that it cannot be instanced from the sound experience of any that they have found this at any time a cause of their not profiteing by their participating at any time in the communion where conscience hath been made of personall dueties not only in relation to their owne communicating, but have also endeavoured in their station to prevent or remove that which hath stumbled them, though they have participated in Congregations where there hath been a mixture of persons not allowed to be admitted by the rules of this Church. And we are verie confident that unto such of them who have found favour of God and to whom He doth still bear thoughts of good notwithstanding of their stumbling and darknes in some things in this time (whatsoever may be the apprehensions of others to the contrarie), that it shall be made out by sadd, though healthfull, experience, to their spirits that the way of separation will not prove so thyrving a way to their soules, and that many of those who are caryed a side shall be able even running to read this when they give an account of that course after many dayes, if it shall be their mercie to observe narrowlie the dealing of blood with their spirits while they give up themselves to that way, and that some of His people who are most violent in that way shall by a strong hand be rescued and brought off, and their present intanglement turned about by the wise and gracious hand of God unto great advantage against that evill when He hath taken off the vaile which for the time covereth and misrepresents their way to their apprehensions. And it is to be well considered that the

evills which doe attend the managing of the presbyteriall government in the Church of Scotland through the unfaithfulness of some and the infirmities of other instruments (not exerceeing their power according to the nature of that ordinance and the principles relating thereto), are more easily discovered by them who had long occasion to be acquainted therewith (especiallie in a time when the ordinance it selfe is under the contempt and contradiction of men, and when prejudices against the same are so industriously sifted and searched out by many) than the evills of the congregationall way, while it is but new to them and doe but see litle or no thing at first of the evill of it till experience teach them the difference as it is with them who (having tryed the congregationall way for a long time) are necessitated at lenth to see more of the ill thereof and the good of our way than they would apprehend to see at first. But it is our feare also in behalf of many that this snare according to many sadd experiences shall carry them to other kynds of higher and more dreadfull difference with us than for the present them selves are aware of, albeit that by their looking upon this as a reproach and groundlesse Jealousie against them they should bend their endeavours and promise unto them selves establishment from further halting and stumbling upon grosser errors, and that they shall not find any spirituall advantage unto their owne soules in that way farr lesse that which is equivalent unto the fruit of their former fellowship in the spirit with us, or that may preponder the sad consequents to the truth and their owne peace and their growing up with others of the Children of God in the love of Christ and one of another. Wee know there is much alleadged against this, of the vigour and growth of the grace of God upon some separated and gathered Congregations, and persons, beyond that they have been or found before their separating. As we desire neither to debate the truth of that in reference to some persons, nor insist in what might be far better asserted to the contrary in reference to others, and might be made out by instances not a few, So we desire it to be considered

that the Lord's indulgence unto such who many dayes agoe did separate from the Church of England by the power of many tentations through persecution and errours in the worship and ordinances of God cannot build any such hope of the like indulgences to such of our Brethren who would forsake a church so constituted and reformed in all the ordinances of Christ as the Church of Scotland now is, and in them selves received not onlie life but comfortable encrease thereof day by day. There be endeavours in another way for clearing this and other truthes that are called unto question in these unstable times which the Lord wee trust shall in His owne good time bring foorth, Only for this season wee being together, and our hēarts made sadd with the fear of the snares which compasse and besett many which doe not watchfullie and in fear seeke to be guarded against these things, we could not forbear before our parting ane from another at this place, to expresse our humble and earnest requeist, and in the fear of the Lord to warne all, that they would not hasten unto these things which the Lord hath so often reprovēd, and Who we trust shall suddenly come unto His temple in these Nations, and visit us with His salvation. The good hand of our God hath so farre appeared with them who have essayed some what of that longed for worke (the apprehended impossibilitie whereof hath been the snare of many), that wee must gather and conclude the thoughts of His heart to be gracious to this poore distressed and despised Church, and that shee hath not as yet been forsaken. So wee trust, through the grace whereby He loved us and choised us to make us His people, shee shall not be forsaken of Him when shee is afflicted and tossed with tempest, and not comforted, but as it were in the dust, and her friends standing aloofe from her, and her children disowning her, whose greefe ere long it may be that they have so gone from us before they have well considered their owne spirits, or tryed the spirits of others, or considered or searched the scriptures either in reference to what they have professed and covenanted or what they have contrarie thereto rashlie embraced.. Amongst many

obstructions which are the matter of our exerceis and difficultie which wee meet with in our severall stations, to bring things to the wished posture and condition according to the word of God and the principles of our Kirk and our late resolutions thereanent, it is not the smallest which flowes from our Brethren and friends who have upon the supposall of the impossibility of purging, separated utterlie from us, which hath begotten much prejudice in the hearts of many, and sweyeth them unto opposition of our endeavours upon the jealousie they have that we also are in these things dryveing at the way of separation. Such sad consequences of their goeing out from us together with that which is sinfull in the way it selfe, cannot but grow up into a deeper guilt then for the tyme they apprehend. The Lord will not take it as a light thing, if we have any thoughts of good to the Church of Scotland, that her children are forsaking her while Him selfe purposeth to dwell with her by the outgoings of His glorie and the beautie of holinesse prepared as the morning in the power of His Kingdome beyond any thing hitherto seene or heard of in our land in these dayes.

Wee say no more but shall earnestly pray unto Him who hath promised to keep the feet of His saints, that it be neither found the sin nor judgement of any whom the Father hath given to the Sonne, to depart so unseasonably from His Jerusalem in this land, while He is returning unto her with loving kyndnes, after He hath hidden His face for a moment, lest with the backslyders in heart they be filled with the fruit of their way, but that it may be their mercie to hearken unto what wee have now and formerly said from deep impressions thereof on our owne spirits for their warning and for the delyvering of our owne soules.

Subscribed in the name and at the desire etc.—

Sic Sub^{rs}

Mr. ROBERT TRAILL.

We desire you to communicat this to those that are of your Judgments.

ANOTHER DECLARATION OR TESTIMONIE OF THE PROTESTERS, MARCH 1654

The adherence of the Ministers, Elders, and Professours mett at Edinburgh in the month of March 1654 to their former Testimonies dated at Edinburgh the 2nd of January 1652 and the 17th of March 1653 respective.

THE Lord who in the deeps of His wisdome and righteous Judgment hath now for many dayes been poureing those Nations from vessell to vessell, having since our last meeting made considerable and unexpected alterations in the publick establishments thereof in order to things both civill and religious. Albeit we desire and have resolved to be farr from intruding in things which do not belong unto us, yet after seeking of the Lord's face and weighing our owne duetie in our severall stations and callings, together with the strait obligation that lyes upon us by the oath of God in the covenant with as much singleness of heart as we could attain unto, wee have found it incumbent to us, for delyvering of our owne soules in sobernes of mynd, shortly to testify our sense thereof. As to things civill, God the judge of all, knoweth that it is not from any desire, much les from any designe, to promote our selves, or any end of our owne, or to comply with that malignant party now in armes, or for promoting any interest or end of theirs, or any malignant interest or designe whatsoever, or from any hopes we had conceaved of better things from the lately dissolved powers, that we speak thereof. Wee have, as to the civill powers and our owne resolutions and deportment and cariage under the same, layd open our hearts in the last part of the penult section of our former testimony, which we desire to be lookt upon and holden as here repeated for taking of any

prejudice which may arise from our reiteration professing of dissatisfaction with the encroachments that are made upon the liberties of this nation as stated upon a sandie foundation, to witt, an unjust invasion, which was attended with so many sad consequences to the Lord's work and people, and hath been carried on without the free consent of the Nation, and (which most sticks with us) is improved to the verie great hurt of religion and the Kingdome of Jesus Christ, in the administrations thereof amongst us. Bot, passing that first branch as being lowest in our thoughts, we come unto the other, to witt, that which concerns Religion, which, as it is of all things the most excellent and most necessarie, So ought the preserving and promoting thereof to be most in our desires and endeavours. Wee do professe before the Lord that our spirits are much stirred within us, when we doe looke upon these four articles in the late establishment, that doe relate unto religion. And, oh that more of the holie zeal and indignation of God, did fill our hearts against that abomination of desolation, which we are sure our soule loathes ! It was unto us, these years past, matter of lamentation, and of sorrow, and of much trembling and fear, that a vast tolleration was permitted, if not owned and promoted, by these who are now in power. Yet some spunk of hope did remain unto us from this consideration that that mischief was not framed into law, and that when the Confusions of Warr (with which men did excuse themselves as to the not building of the Lord's House) were over past, we might expect at least some restraint of the outbreakings of lying spirits, who blaspheme God and His truth in those Nations, Bot now in that vast tolleration into a law and into such a law as is holden forth to be fundamentall, as to the settlement of those Nations, which the supream power is tied, not to infringe, bot to observe and caus to be observed, by which is accomplished that which was projected and published long agoe by his excellencie, Sir Thomas Fairfax, and the generall counsell of the Army, in their paper called the agreement of the people, to witt, that that vast tolleration in Religion should

be fundamentale to our common right, liberty, and safety, and so all that are subjects in those Nations, should be obliged to maintaine and defend the same. These transactions as to things religious are for the substance much the same that were holdin forth in the yeir 1649 in that paper formerly mentioned, and, so farr as concernes this Nation and Church, in the Declarations from Dalkeith in the yeir 1652. Concerning the first, so farr as relates to tolleration, this Church did publish their sense fully a little after it came abroad ; and concerning the last, wee have once and againe before this time testified our dissatisfaction and the grounds and reasons thereof, first in a letter, and afterwards in a larger testimony directed to the Lord Generall Cromwell, to which as to this day we have receaved no answer. So wee conceive our selves bund still to professe our adherence thereunto, wishing grace from God that we may doe no thing that may staine any pretious truth contained therein and mercie to others whom it concerns, that they may consider of the justice and equity of the cause which we plead for, and do as they are commanded of God, who, thro' He doth chastise His people, yet doth He not cast them of, neither forsake His inheritance, but causeth judgement returne unto victorie. We shall at this tyme onlie add a little unto (or rather repeat from) these former testimonies, because of this new and strange establishment of religion which is not only contrary to the Word of God, and to the vow and protestation of England 1641, and to the Nationall Covenant of Scotland 1638, and the Solemne League and Covenant betwixt the Nations 1643. But so farr as we knew without any precedent or example in the Christean world, that we oppen it a litle, wee sall give the meaning of those propositions in simplicity of heart and without straining or wresting of any thing so farre as we can attaine it. 2. Wee shall hold forth some of the grounds of our dissatisfaction from the Lord's Word. 3. Wee shall shew how grat and unrighteous encroachments and how sadd consequences these things import upon the Church and work of God in this land.

As to the first we conceive that those 4 propositions import, I. That these who challenge the Magistraey or civill power, yea, the officers of the Army with some others, before the establishing of any supreme Magistraticall power, take upon them of themselves to determine all things relateing to the establishing of religion in this Church and land, not only before and without calling any Assemblie of the servants of Jesus Christ and officers of His Hous to give their advice or resolution thereanent, but before and without hearing or of any of the members of this Church upon this establishment so farr as we know. II. That all former establishments in things religious are quite casten lose, and we are in those things made as it were *tabula rasa*, in which the present power as to the publie profession may writt any thing they will, as if heretofore we never had any true religion or any forme of sound Doctrine, worship, discipline and government holden forth or established in this Nation, by which all our former confessions of faith, Catechisme, Directory for worship, propositions for Kirk Government, all our Assemblies and their acts and determinations, yea, the whole frame of our religion and Church as to the publie profession, is turned upside downe. III. That notwithstanding Christean religion hath been established in this Nation, yet, in order to the future and for the tyme to come, there is no thing but a bare recommending of the same, and that in the generall only wherein appeareth so litle of the zeal of God for the dueties commanded in the first table of the law, as wold make our hearts (if rightly affected) to bleed within us. IV. That for any thing we can see in those propositions, it cannot be decerned what is intended to be held forth and recommending as the publie professing of this Nation. It is designed under the name of the Christean religion contained in the Scriptures, which, as it doth not determine one or other of those manifold formes of Christean religion that are in the world, to be agreeable or contrary unto the Scriptures, so doth it not bind up the hands of the civill power, bot that they may hold forth and recommend the greatest.

of them for the publict profession of these Nations, as for the Christean religion contained in the Scriptures. v. To speake no thing of that which is insinuated in reference to the present provision and maintenance of Ministers, as a thing subject to scruple and contention, we see not in all those articles any thing that doth import the acknowledgment of a setled Ministerie to be a standing ordinance of Jesus Christ, or that acknowledges any power of Church government and discipline and censure to be competent to them and other officers of the Lord's Hous, only an encouragement and maintenance for able and painfull teachers for instructing the people, and for discovery and confutation of error and whatsoever is contrarie to the sound doctrine spoken off, which, as it may exclude a standing Ministerie, so doth it take in others to the ministration and fellowship of the work, and confines the worke of the whole to teaching and instructing the people, and to the discovery and confutation of error, without mentioning any thing of Church discipline and censures, yea, for ought we can see, the calling and trying and sending forth of all those teachers may be in the hand of the civill power only. vi. That all compulsion to the publict profession, be penalties or other wayes, is taken away, which, as it doth take away the whole strenth of all the civill lawes of this Nation made against those that shall apostatize from or walk contrarie to the religion professed in this Church, even in order to their coming to the Church or submitting to conference and instruction, so may it include the Ecclesiasticall censures, the exercise of the power of parents over their children, and of masters over their servants, in reference to the dueties of religion, which we have the more ground to apprehend, becaus all the wayes of winning of them are confined to sound doctrine and the example of a good conversation. vii. Restraint is put upon none, but protection promised to all who professe faith in God by Jesus Christ in the Profession of their faith and exercise of their religion, tho' differing in judgement from the doctrine, worship, or discipline publicly held forth, so they abuse not this liberty to the

civill injurie of uthers, and to the actuall disturbance of the publict peace on their pairts, provided this libertie be not extended to poperie or prelacie, nor to such as under the profession of Christ hold forth and practise licentiousnesse, which take along with it these sad consequences.

1. That hereby protection is the exercise of their religion unto Antitrinitarians, Arrians, Socinians, Pholinians, familists seekers, Antinomians, polagians, and to all who mantaine and professe any heresie, superstition, or idolatric whatsoever, providing they professe faith in God by Jesus Christ, which many of the grossest of the most abominable and vilest hereticks that ever were in the world doe.

2. That all things relateing to religion are modelled unto and levelled after a state interest, becaus (to say nothing that men, though never so sound in their profession, and never so holie and tender in their walking, if differing from these late establishments, tho' in order to no interest or end of man, but meerly upon want of clearing in their consciences to be consenting thereunto, or silent thereanent, have little hope of protection allowed them) we cannot conjecture upon what uther account this liberty is not extended [to ?] poperie or prelacie, seing papists and prelates professe faith in God by Jesus Christ no less, yea more, than in any of these to whom it is granted, not that we may plead for protection to papists or prelates, bot that greeves our soule, and no doubt provoks the Lord, to mangle the things of God, and take and give them as we find it for our interests and ends.

3. If we doe not mistake these who hold forth licentiousness, or doe teach it, or profess it to be their judgement, if they doe not practise it, yet may expect protection, becaus this libertie, besides poperie and prelacie, is denyed to none but such who, under a profession of Christ, hold forth and practise licentiousness, and by the cunning of Sathan it cumes to passe that sundry who do hold it forth in their profession, doe not practise it openly in their conversation.

· VIII. That the last of these four propositions which doth declare that all lawes, statuts, ordinances, and clauses in any law, statute, and ordinance to the contrare of the aforesaid liberty, sall be esteemed

as null and void, doth, beside many other greivous inconveniences, take away both the Nationall Covenant of this land, and the Solemn League and Covenant betwixt those Nations, for both these are established in lawes, by which it is provided that all the subjects of this Nation shall take the same. ix. Wee doe not see that by any or all of the articles, any positive punishment or penalty, les or more, is appointed or to be appointed against any persone how impious or blasphemous soever in the matter of religion. It is told us, who sall not be restrained, and who sall have protection, but it is not told us to whom protection shall not be denied, or who they are that are to be restrained, or be what means or in what measure. Wee see no limiting or restricting caus in ane of these articles, bounding men's profession and the exercise of their religion, and the protection to be granted therein unto Christean religion only, or appointing any positive penalties or punishments upon these who transgress these bounds, much lesse upon any of these who professe faith in Jesus Christ, by which a doore is opened and an inlet made unto the worst of those who bear the name of Christeans, yea, unto Jews and Mahometans, and heathens, to converse and dwell and professe their religion in this land.

As to the grounds, from the Lord's Word, of our dissatisfaction with these things, so much hath been holden forth thereof in the solemne Testimony of the Church of Scotland against tolleration in the yeir 1649, and in our latter testimonies unto the Lord Generall in the yeires 1651 and 1652, that wee need not now insist much upon it, seing these do still stand unshaken and unanswered. Therefore, desireing that these may be looked upon and holden as here repeated, Wee doe only now adde or rather resume: 1. That one eternall and unchangeable truth, God Almighty, wise, holy, righteous, faithfull, and true, as He hath in His Word which He hath manifested to this Nation holding forth one perfyte rule of faith and of maners, so He hath not only commanded all of us to walk in conformity unto their exact paterne in all things without declyning or turning a side to the right hand or to the left,

bot hath also appointed and commanded that Idolaters, hereticks, false prophets, blasphemers, Sabbath-breakers, and such as make shipwreck of faith and a good conscience by making defection from the truth or deboared unto profanity and the excesse of riot, be censured and punished, and that blasphemie, heresy, Idolatrie, impiety, and profannes, and all things tending thereto be restrained, suppressed, in Deut: 13 from the beginning to the end, Deut: 17. 2, 3, 4, 5, Levit: 24 from v. 10 to v. 17, Numb: 15. 32, 33, 34, 35, 36, Deut: 7. 5, 6, Deut: 12. 1, 2, 3. And therefore hath the Lord also commanded and provided in His Word that all publick persons, whither masters of families, or Ministers and Elders, or Magistrats, should each of them in their stations and capacities take care of acquiting of themselves in this as a maine part of that ducty which they owe unto these over whom God has sett them, Gen: 18. 19, Eph: 6. 4, 5, 1 Tim: 3. 4, 12, Levit: 15. 21, Gal: 2. 5, 1 Cor: 5. 3, 4, 5, Tit: 3. 10, Ro: 13. 4, compared with Deut: 13. 5, Phil: 3. 2, 2, Tim: 3. 13, and 2 Jo: 10, —from which last texts of Scripture compared together we doc, becaus of those who deny the power of the Magistrate in things belonging to Religion under the New Testament, reason thus. Whosoever by his place and station is appointed of God under the Gospell or in the dayes of the New Testament to be a terrour to evill workers, and for making those who doe evill, affraid, as is the Minister of God to execute wrath upon him that does evill, he by his place and station under the New Testament is bound to suppress and punish idolaters, blasphemers, seducers, hereticks, Sabbath-breakers etc. Bot the Magistrate by his place and station is appointed of God under the Gospell or in the dayes of the New Testament, to be a terrour to evill works etc. Therefore etc. The second preposition of the argument needs no prooffe, as being the apostle's words Ro: 13. 3, 4. The first proposition is proved thus,—If Idolaters, hereticks, blasphemers, seducers, Sabbath-breakers, be such as doe evill and be evill workers, and if their deeds be evill deeds, then it is the ducty of the magistrate under the New Testament to

suppresse and punish them, as is cleare from what is already said. But they are such as doe evill works, and their deeds are evill deeds. The apostle Paul, Phil: 3. 2, doth expressly call them evill workers, and, 2 Tim: 3. 13, evill men. The apostle calls them heresie, evill deeds, 2 Jo: 1. 1; and Moses, Deut: 13. 5, calls the work the evill which his people are to putt away from the midst of them. 2ly. Wee have many approven precedents and binding examples of those cloathed with power, eeconomick in families, Ecclesiastick in Churches, politick in States and Kingdomes, performing this duety, Gen: 18. 19, ch. 32. 2, 3, 4, Exod: 32. 28, 1 Kin: 18. 40, 2 Kin: 10. 11, 24, 2 Chron: 14. 2, 3, 4, 5, 2 Chron: 15. 8 to the end, 2 Chron: 19. 4, 2 Chron: 23. 17, 2 Chron: 29. 5, and throughout 2 Chron: 30. 6, 14, 2 Chron: 31. 1, 2, 2 Chron: 24, Ezra 10. 6, 7, 8, Neh: 13. 9, 11, 17, 19, Rev: 2, 2. 3ly. Wee have manie reproofes and threatenings recorded in the Lord's Word against Masters of families, Ministers, and Magistrates, who doe neglect this duety, 1 Sam: 2. 27 to the end, 1 Sam: 3. 11, 12, 13, 14, 1 Kin: 11. 9, 10, 11, 12, 1 Kin: 12 from the 26 v. and 13 chap: throughout, with many other texts in the books of the Kings and the Chron:, and in the Prophets, Revel: 2. 14, 15, 16, 20, 21, 22, 23. 4ly. Wee have gracious promises made unto and rich blessings poured out upon these who have faithfully mynded the duties. Wee may take instances in Abraham, Jacob, Phineas, the Levitts, David, Asa, Jehozaphat, Hezekia, Josiah, Josua, the high priests, and other of the Saints recorded in Scripture. 5ly. Wee finde that tolleration hes always been a snair—

1. To draw men away from God, and then to bring judgement and destruction on them, Exod: 23. 32, 33, Exod: 34. 11, 12, 13, 14, 15, 16, Deut: 7. 2, 3, 4, 5, 6, Josh: 23. 11, 12, 13, Judg: 2. 2, 3, 11, 12, 13, 14, 15, Judg: 3. 5, 6, 7, 8. The Lord becaus of Jereboam his setting up the calves at Dan and Bethell, after that he had gott power in his hand, hath banded him with a note of eternall infamie, and hath sett him and his family up as an dreadfull spectacle of his indignation and wrath to all generations; and wee know none of the Kings of Israel or of Judah who did

give countenance or protection to Idolatrie or false worship, but the Lord did pursue them and their posteritie with some eminent token of His displeasure that others may hear and fear and tremble and do no more so.

The last thing which wee did propound to speake a litle of, is the great encroachments and sad consequences that this vast tolleration doth import upon the Church and worke of God in Scotland; and when we thinke on these things, our soules are filled with confusion and sorrow. We know that the Lord liveth and reigneth, and can maintaine His Kingdome and His ordinances amongst us with the hand and help of man, neither are so full of dispondencie of spirit to cast away our confidence concerning His continuing to duell in our land, notwithstanding of men's allowing of Dagon to be sett up beside His ark, and of their giving equale countenance, protection, and encouragement to corrupt superstitions and will worship (which the Scripture accompts the worship of devills) with the worship of God. But we should be wearie of zeale for the honour of God, and of compassion to this and the future generation, if we were not sensible of the manifold sines, and snares, and confusions, and calamities, and judgements, and wrath, that such a tolleration threatnes our land with. Man in his integrity had need to be bounded by a law, and when left to the liberty of his owne will, though made righteous, yet did seek after many inventiones. How much more is he prone to wander from his duety in his corrupt state, and to become vaine in his imagination and brutish in his affections, and to turne the image of the Invisible God into the similitude of sinfull creatures, and to deboard into all sorts of errour, and impietie, and ungodlines, when he is not guyded by sound lawes in those things that concerne his duety both unto God and unto his neighbours, and when his exorbitantes and superfluities are not cutt of and restrained by the power of these! A few years' experience may teach us how the permitting of a tolleration hath brought us forth such monsters of opinions in religion as may make those lands ashamed that they are called Christean.

And what dreadfull things of that kynd may we now expect, when the civill power proclaimed libertie and protection to all who professe faith in God by Jesus Christ with such slender restrictions as we have already spoken off! What division and distraction of Judgement! What alienation of affections! What dryving of contrarie interests and designes! What jealousies, murmurings, disputings, and canglings and continuall stryving, will be produced by this way both in families and congregations and amongst all relations! Wee take not upon us to determine these things that concerne civill peace, yet may we be pardoned to professe our fears that there is not a readier way, whether we look unto God as provoked unto wrath by this Idoll of Jealousie, or unto men as acted by different principles and dryving different ends, to produce either a certain ware or an uncertaine peace then this is. Wee must now no more be one Church, but a multitude of Churches, professing diverse religions, and worshiping God after diverse meanes. Publiet ordinances shall be despysed and slighted, and Ministrie contemned and neglected, sound doctrine rejected, Church censures misregairded, uniformity vilified, the Sabbath spent in sleeping or walking abroad in the fields, or in carding and dyceing, or any way else. If men can have but a little of that dexterity which the cloaking of their corruptions can easily teach them to finde out, heresies must abound and the fruit of these must be an increase of ignorance, and atheisme, and prophannes, and, in the end, either poperie or some thing as evill shall be hatched out of this cockatrice egge.

Our soules have no delite in be-moaning and complaining of these things, but these are unto us the more greivous in these respects. 1. That the authors and abbettors thereof are such of whom wee did expect better things, both becaus of their breading in the faith and of their professions for reformation, and becaus of their engaging themselves by the oath of God sincerely, constantly, and really all the dayes of their life, to mantaine the doctrine, worship, discipline, and government of the

Kirk of Scotland, which are as opposite to such a tolleration as light unto darkness. 2. Becauss this is so farre from answering the great ends of religion, as it is the rejoyceing of all our enemies of the popish, prelaticall, and malignant party, yea, it is upon the mater the accomplishment of a great part of their work and designe which was to cast loose and destroy our religion. 3. Becauss though now for a hundred years wee have enjoyed the Gospell and pure ordinances of Jesus Christ, which have been attended with the comfortable blessing of begetting many children unto God, and though, by the testimony of all the Protestant Churches abroad, yea, and by the testimony sometimes of the more judicious of these who have hand in these revolutions, we have, not only sound doctrine, bot a well ordered worship, discipline, and government, yet wee are now quite dissolved and casten loose as if formerly we had been no Church at all. 4. Becauss the trueth oft sealed by the blood of our fathers, and testified by multitudes of able ministers of the Gospell, and approven in the consciences of many thousands of his pretious people, have no perseverance above the inventions of men, yea, or before the doctrines of devills. 5. Because by these meanes multitudes of this land are like to be involved in fearfull perjurie and breach of the great and solemne oath of God contained in the Covenant, whilst by these intisements they shall be made to be so farre from maintaining and preserving in their station the reformation formerly established in the Kirk of Scotland, and from extirpating poprie, prelacie, heresie, errour, schisme, and profannes, and whatever is contrarie to sound doctrine and the power of Godlines, that they shall break the Lord's bands and cast away His cords from them and professe everie man after the imaginations of his owne heart. 6. Becauss we doe therein meet with sad disappointments in those things that concerne reformation and the securing and promoteing of religion and righteousness in this land, which was the great end of all the undertakings of this Nation, and which we did expect to have reaped as the fruite, and comfortable fruite, of all our labour and travell.

But instead of light, behold, darknes ; instead of order, behold, confusion ; instead of unitie and uniformity, behold, division and deformity ; errorr cumes in the place of trueth ; we have loosness for true liberty, anarchie for government in the Church, formality for godlines, which though righteous with God for punishing of our iniquities and former contempt of the glorious gospell of our Lord Jesus Christ, yet surely must be a great provocation before the Lord who is zealous for His temple. Therefore, though it should coast us more than to bear the construction of being men of rigide and implacable fruits, yet for Zion's sake wec dare not hold our peace, but resolve to cry unto heaven and unto the earth also concerning things which so much concerne the honour of God, the happines of this Nation, and our owne soules and the soules of our posteritie.

Signed at the name and at the desire of the Ministers,
Elders and Professours mett at Edinburgh in the month
of March 1654.

By

Mr. A. JHONSTOUN

Jo: CHRISTIE

R. HALKET

Mr. AN: KER

Mr. JAMES GUTHRIE

Mr. SAMUELL RUTHERFURD

Mr. JAMES NASMYTH.

Mr. ALEXR: MONCREIFE.

THE PROTESTERS' CONSIDERATIONS OF
THE ORDER OF DUTIE OF MINISTERS,
PROVIDED IN THE LATE ORDINANCE DATED AT
WESTMINSTER, THE 1654,
BROUGHT DOWN BY MR. P. GILLESPIE

That the Ministers and others nominated by the Lord Protector and his Counsell cannot warrantably take upon them to give Certificats to such as enter into the Ministry in the Church of Scotland as is provyded in the ordinance dated at Westminster the day of 1654.

FFOR the better determining and proveing of this assertion wee desire the giveing of these certificats as is provyded in that ordinance to be looked upon in ordour to the nature of that imployment. 2. In ordour to the call that is to it. 3. In ordour to the concomitants and consequents of it.

As to the first wee may take it in its more generall or more particular nature. In the more generall nature of it is an Ecclesiastick imployment, authoritative, arbitrarie and prelaticall. That it is Ecclesiastick appears from the things about which it is conversint, to witt the qualification of Ministers both as to their life and doctrine, the judging and attesting of which is properlie Ecclesiastick and belonging to Presbytries. That it is authoritative may perhaps not seeme so clear, neither doe we love to contend about words, bot thes following considerations seeme clearly to evince that it is upon the matter authoritative. 1. It is by an particular commission derived from these in authoritie, which commission doth impower the persons nominated therein unto the imployment. 2. It is acknowledged that power of testifyeing concerning the carrage and qualification of Ministers, that it is in Presbytries

and Synods as authoritative, and their testimony only hath hithertills in this Church by the lawes of Church and State being determinative, binding, both as to the carrage and qualification of Ministers, as also to their right to the maintenances belonging to the Church where they serve in the Ministerie; and this employment eumes in the place of that power of testifyeing in Presbyteries, becaus it doeth determine ministers' qualifications in a binding way in order to their maintenance and stipend. It cannot be denied bot that a testimony given to an intrant according as is provided in this ordinance, doeth import an obligation upon the judges to give to such an intrant a warrant for his stipend; nether can it be denied that, without such a certificat, they can give no such warrand, and so he can have no access to his stipend.

2. The giving of these certificates must needs suppose competent knowledge of the things certified, for no naturall man will say that these things may be certified *fide implicita*; and if it doe suppose competent knowledge, it must also suppose the use and exercise of competent meanes for attaining of that knowledge in dubious and contraverted causes, at least it must bring the proceedings of Presbyteries and qualifications of intrants under some kynd of inquisition and tryell. Especially it will import some kynd of inquisition and tryell in order to the peaceable disposition of the intrant, this being a thing which Presbyteries will not medle with, and that which these that are named in the ordinance will not testifie upon knowledge and assurance, without taking some tryell and hearing of the resolution of the persone himself for whom they doe testifie that thing. That it is an arbitrar employment appears, 1, from this consideration, because there is no rule determined nor condescended upon to which these persons are limited or according to which they are bound to walk in giving or refusing of the testimony. Becaus the expressions that are in the ordinance are so generall and ambiguous in ordour to the qualification of intrants, that no certainty can be collected therefrom. There is nothing in these expressions that can justly hinder a

certificat to be given to a man opposite in judgement to the doctrine, worship, and government of the Kirk of Scotland. It is only requyred that he have an call from the more sober and godly part of the people, and that he be ane persone of ane holy, blameless conversation, disposed to live peaceably and for the grace of God in him, and for his knowledge and utterance able and fitt to preach the Gospell; and in the judgement of the authors of this ordinance all of these requisits may be incident to most of all the differing professors about things religious that are not this tyme in these Nations. So be there sundrie of these who are named in the ordinance, who will be readie to attest all these requisits to persones that are in sundry treuthes opposit to the doctrine, worship, discipline, and government of the Kirk of Scotland. 2. It doth also appear from this that the persons named in the ordinance are not, in the giveing or denyeing of these certificats, made subject to the tryell of any, nor is there any remedy provyded either for the Church in generall or for any greeved persons in particular in caice of their unable administration, unlesse we sall suppose that recourse may be had to the Protector and his counsell, from whom their power is derived; and that is ane remedy as evill, if not worse, than the decease, because [it ?] doeth acknowledge usurped civill powers to be the fountaine of lawfull Ecclesiastick powers. That it is a prelatieall power appears, 1. Becaus it is a power in the hand of some thrie or four nominated by the civill power over an whole province, yea, over severall provinces. 2. Becaus it subjects unto it the native and proper power of the judicatories of the Kirk, yea, doth take it away and make it null and voyd, for which the Testimonies of Presbytries and Synods can be of no force at all as to the qualification of an Minister in order to the obtaining of an warrand for his maintenance without a dependence upon a certificat from these persons, as is provyded in the ordinance. Albeit ane Presbytrie or Synod, in all things sound and proceeding according to the rule of Christ, sould, upon the unanimous call of an Congregation, try and admitt

unto the ministrie an man aboue all exceptioun both in life and doctrine, and thereupon certifie for him accordingly, yet this wold be of no force for obtaining a warrand for his maintenance, unles four of the persons named in the ordinance did certifie as is provyded in the same; and, as there are no bands putt upon them bot that even in that caice they may refuse to certify for such ane one, and certify for another, so, if they sould certify for another, the judges are by that ordinance obliged to give the maintenance the uther and to deny it for whom the Presbytrie or Synod has certified. From what is said we draw this argument, whatsomever imployment in the Hous of God is arbitrary, and prelaticall, and destructive to the power of Presbytries and Synods, that it is an imployment in itself not warrantable, but sinfull and unlawfull. Bot the imployment to give certificates as is provyded in this ordinance is ane imployment in the Hous of God, arbitrarie, and prelaticall, and destructive to the power of Presbytries and Synods. Therefore the more particular nature of this imployment doeth depend upon the things which by the ordinance are provyded to be certified, to witt, his holy and unblameable conversation, his disposition to live peaceable under the present government, that he is such an one who for the grace of God in him and for his knowledge is able and fitt to preach the Gospell,—in which certificat there are 1. Some sinfull defects, 2. a sinfull redundance or excesse. The sinfull defects are these two. It bears no thing of his ordination and admission by the Presbytrie, which tua things, as they are necessary requisits to the making a Minister, so is it evident and obvious upon what grounds they are left out, to witt, becaus the authors of this ordinance doe not requyre either the an or the other as necessaric requisit to a Minister, bot think that any who holds the fundamentals of Religion, and hes the people's call, and is of a Christean conversation, and hath gifts, may be ane Minister, though they differ in many things about the superstructures of religion, and have no ordination nor admission by the Presbytrie; and, therefore, as this ordinance doeth impower

to give certificats to men without taking notice whether they be sound or have been ordained, so, if these who are named in the ordinance should accept of the imployments to give certificates as is thereby provyded, it could not bot at least implicitly import and inferr their approbation of tolleration and taking away of the ordination and admission of Ministers, at least their not judgeing it necessar. The sinfull redundance and excesse which is in it, is that clause of their being disposed to live peaceable under the present government, which doeth import ane resolution in the persone, not only not to rise in armes nor to intise nor stirr up others to rise in armes, bot also ane resolution not to testify, nor wrytt nor speak, nor preach, nor pray against the present government,—which is evidenced both from reason itself, and from the lawes inacted and established by the present powers, 1. Under ane government doeth import at least an man's forbearing to doe any thing that in the owne nature of it tends to the unsetling and disturbing of the government, but testifyeing, or wrytting, or speaking or preaching or praying againes the government or such things as in their owne nature doe tend to the unsetling and disturbing thereof, and therefore must needs in reason be understood to be contrair unto peaceable living under the government. Next, their owne lawes, to witt, the act of treason doeth make it treasonable for any persone advysedly either by writting, printing, oppenly declaring, teaching, preaching, or otherwise, to publish any thing againes the government. And sall wee think that they judge such to be peaceable livers against whom they doe judge etc. ? That this is ane clause sinfull and unlawfull, appeares, not only from the want of ane dew and just right unto the power of the government over this Nation, which is ane poynt, for any thing wee know, contraverted by verie few of these who are named in that ordinance, bot also from that vast tolleration in things religious that is declared by the present powers to be ane of the fundaments of that government. Neither doeth it help this matter to say that this clause doeth not import any obligation or ingagement upon intrants in ordour to

their peaceable living under the present government, because being rightly understood and impartially considered doeth import both an obligation and ingagement both upon these who give such Certificates, and also upon these in whose behalfe they doe give them upon the former ; because they cannot be understood to testifie this utter-ways then that which they conceive to be an dewty in these for whom they doe testifie, and if they looke upon it as an dewtie in them, they must needs be understood to look so upon it in ordour to themselves also upon the latter ; because no man can testify for any intransigent that he is disposed to live peaceably under the present government, untill first he have signification and assurance to be an ingagement. From these things wee draw these two arguments,—first, whatsoever employment doeth involve the approbation of tolleration and taking away the ordination and admission by Presbyteries, or whatsoever employment doeth tend to the introducing of tolleration and the taking away the ordination and admission by Presbyteries, that is sinfull and unlawfull. But to give certificates, as is provided in this ordinance, is such an employment. Therefore, etc. Whatsoever employment doeth engage men to forbear the doing, testifying, preaching, and praying the things to which their duty calls them, that is sinfull and unlawfull. But this employment is such. Therefore, etc.

The second thing is the call which men intimate in that ordinance, have as to the undertaking of that employment. It is an knowne and received truth that no man takes anie honour to himself in or over the House of God, but he that is thereunto called of God, as Aaron was. That this is an employment in or over the House of God, we have already shewed, but where shall we find the Lord's call to it ? Whatsoever call is here, is by the Lord Protector and his Counsell, who cannot authorize any persones to any employment that is properly Ecclesiastick in or over the House of God, and therefore cannot derive it to others. The Kingdome of Jesus Christ is not of this world ; and it is to the officers of His owne House, and not to the powers

of this world, that He hath given the keys thereof. Whence we draw these tuo arguments—1. Unto whatsoever imployment men have not ane lawfull call, that they cannot lawfully and warrantably imbrace. But unto this imployment the men nominat in the ordinance have not ane lawfull call. Therefore etc. As to any thing objected againes this wee shall speak to it afterwards, 2. Whatsoever doeth establish exotick headship over the Church of Christ, and doeth putt the kies of His Church unto other hands than He Himself hath putt them, that is sinfull and unlawfull. But the way of this ordinance is such. Therefore, etc.

The last thing considerable is the concomitants and consequents of it, which, though they may be easily collected from the things which are already spoken, yet for the more full discoverie of the bussines wee sall name some 5 or 6 of these which are most obvious. I. By the way of this ordinance, as the intrants in the Church of Scotland for whom maintenance is to be allowed within the provinces be north Angus, may be such as are of the independent judgement, becaus a competent number of persons of that judgement are named in these provinces for giving of Certificats. II. This way being imbraced doeth with our owne consent take Church affaires and the administration thereof out of their proper and native channell, and putts them in the hand of the Protector and Counsell, to dispose of the same, and committs the managing thereof to such persons and in such ane way as he thinks fitt. If we sall be now consenting that we sall nominat four without whose certificat none shall be judged worthie of ane stipend, what reasone have we to refuse him upon the same ground to nominat uther four, or two, or three, or five, etc. who shall exercise all Ecclesiastick jurisdiction and censures over the whole province where they live? III. It doeth sorely inroach upon, yea, in some things wholly make voyd and take away, the power and privileges of Presbyteries and Synods, not only of those which are corrupt and doe abuse the same, bot also of these that are sound and use their power to edifica-

tion. iv. It layes ane foundation for ane prelatieall superintendencie in the Church, and for bringing Presbyteries and Ministers in subjection under some few in everie province. The same reason [which ?] pleads for and seems to justifie the puting of the power of giveing certificats in order to maintenance in the hands of some few, will als strongly plead for and no less seeme to justify the puting of all the Church power in the hands of some few. v. It is a generall stumbling to all sorts of persons, both gude and bad, whither against the publict resolution or for them. vi. It is an introduction to yeeld sundrie of the most important particulars and questions betwixt us and the Inglish As, 1. The poynt of acknowledging them to be the lawfull magistrat be ingageing to live peaceably under their government. 2. The poynt of their assuming power over the Church to their nominating and designing of persons for Ecclesiastick employments. 3. The poynt of tolleration, by condescending that sundry of these persones be of the independent judgements, and that all the necessar qualifications of a Minister sall consist in this being a persone of an holy and unblameable conversation, disposed to live peaceably under the present government, and who for the grace of God in him and for his knowledge and utterance is able and fitt to preach the Gospell. 4. Laying aside the ordination and admission by the Presbytrie as not necessary, what arguments these concomitants and consequents of following the way of the ordinance doe yeeld againes the same, besides these which are already sett downe, may be easily collected and putt in forme by any intelligent reader.

Before we close, we hold it expedient to speake also to some of the chiefe objections that we brought for justifying of this ordinance and of accepting the nomination made therein. The first is that it is generally granted by divines that the Magistrat may doe many things in ane troubled and corrupt state of the Church, which he cannot doe when the Church is sound and in peace ; and, therefore, the troubled and corrupt state of this Church being acknowledged by ourselves, it cannot be denyed bot that

he may name persons of integrity to attest the sufficiency and dew qualification of such intrants as maintenance is to be allowed unto in the Ministerie. Answer,—We shall not deny that the Magistrat may doe many things in ane troubled and corrupt state of the Church, which he may not doe when it is sound and peaceable, provyding that this be rightly understood and be not misaplyed unto the oppressing and destroying of the Church, insteid of releiving her, and repairing of her ruines, and building up of her breaches. And, therefore, passing uther considerations that may be requisit in that caice, we sall name these five which contribute for clearing the present bussines,—1. That he who affirmes and exercises such power in the troubled and corrupt state of the Church, be indeed the lawfull Magistrat. 2. That he doe not affirme or exercise that power as long as there is any remedy or power belonging to the Church herself left for helping of these evils. 3. That he that doe not affirme nor exercise unto destruction but unto distraction, not against the treuth but for the trueth, not privatly but cumulativly. 4. That in the exercise of it he putt no snares nor sinfull bands upon the consciences of people and church officers. All these five be wanting here, for why? 1. The Protector and his Counsell be not the lawfull Magistrat. 2. There be remeadies and power yet belonging to the Church herself, as in some places sound Presbytries and sound Synods, and, in ordour to the whole Church, the Commission of the Assembly and the Assemblie and Visitations 1650. 3. He doeth not affirme and exercise this power as in ane caice extraordinary and by reason of this corrupt and troubled estate of the Church only, bot as belonging to him in intrinsecally and alwayes as magistrat, as is evident from publict declarations and Commissions relateing to Church matters. 4. He doeth exercise power in Church matters not to be edification for the trueth and cumulatively, but to destruction against the treuth and privately, for which he exercises it for establishing of tolleration, for taking away the power of the judicatories of the Kirk and making them subordinat to the civill powers, for limiting of the

Ministers in their preaching and testifyeing againes corruptions, and for disposing of Ministers' maintenance according to the pleasure and arbitrement of the civill power. 5. He doeth exercise it unto the putting of snares upon the consciences of Church officers ; Whilst, under the name of liveing peaceably under the present government, he doeth bind them up from testifyeing against the iniquity and corruption thereof, and, therefore, that objection, taking from the Magistrat's power in the troubled state of the Church, can have no place in this particular.

A second objection is that the Parliament of England, in the year 1643, did nominat and impower the Assemblie of divines to give their advyce concerning the doctrine, worship, discipline, and government of the Church, as also they did nominat and impower Ministers and wthers for trying and admitting of Ministers. Answer thereto,—Sundry materiall differences betwixt that caice and this, as, 1. The Parliament of England were the lawfull Magistrat. 2. They wer upon a way of reforming the Church. 3. They did not prescribe any unwarrantable rule for them to walk by, but left them to walk according to the directione of the Lord's Word. 4. The Church of England had then no settled judicatorie, to whose power these actings of the Parliament were privative, the contrarie of all which is to be fund in this caice. The Lord Protector is not the lawfull Magistrat, nor is he upon the way of reformeing the Kirk, and in these Certificats he doeth preserve an unwarrantable rule, and the thing is privitive of the power of the Presbyteries.

A third objection is, that it was lawfull for any of the Ministers and others nominated in that ordinance to have given testimonies, before that nomination was made, concerning the carrage and qualification of intrants to the Ministrie ; and, accordingly, sundrie did give testimonies which hath not hitherto been accounted faultie or blame worthy by anie. And if so, sall that which wes formerly lawfull, become unlawfull, becaus of that nomination ? This seemes verie harsh and difficult to be under-

stood. Answer,—What any did or might have done in the matter of giving testimonies before that nomination, we sall not dispuitt. Wee doe not deny but men, keeping within the bounds of their station and being dewly called thereto, may testifie things lawfull and trew. Bot the caice of giving testimonies upon this nomination and according as is provyded in this ordinance, doeth exceedingly differ from any thing that wes done before, and that in sundry respects, as, 1. This nomination cums in the place and is destructive of the liberty of both Presbyteries and Synods, to say nothing of the liberty of particular persons. 2. This nomination turns that which some did under that consideration of a common Christean dewty by the common band of Charity, unto a standing Ecclesiastick imployment upon the matter, authoritative, abitraire and prelatieall. 3. This nomination establishes an exotick headship in the Church of Christ, and, being accepted, is an real declaration that the Protector and his counsell may warrantably name and designe and authorize persones for all Ecclesiastick employments. 4. Being accepted as is provyded in the ordinance, it ingadges the persons who give these certificats, to testifie things sinfull and unlawfull, and, therefore, the caice is verie much different from what it formerly was.

A fourth objection is that by this way there is a reall advantage to the work and people of God in this land, becaus by this means all corrupt and insufficient men may be kept out of the Ministerie, and all vacant places be planted with such as are able and godly. Answer,—The Lord hath forbidden us to bring dishonest gaine into His House, or to doe evill that good may cum thereof, and, therefore, upon supposall that it were probably attended with these advantages which are spoken of, yit wold not that justifie the imbraceing of it as long as it is attended with sin and snares? Yea, if it should be imbraced, there wold be just cause to feare that the Lord wold turne the seeming blissing thereof unto a reall disappointment, becaus the farr greater part of Presbyteries and Congregations being such as we wold not will in all appearance from

the zeale of their owne way and the exasperation of their . . . against this warr, and such as imbrace the same, they will choyse and admitt unto the Ministerie men according to their owne heart, though there should be no access to the stipend. Yea, they will conceave themselves bound in conscience so to doe, and there is no barre upon them by that ordinance, nor by any wther law or ordinance, to hinder them from doeing of it. 2. The utmost advantage that it can amount unto in most places as [is ?] to keep kirks vacand, becaus, most part of Presbytries and Synods being corrupt, though congregations, or some few in a congregation, should hapily call an able and sound and godly man to be their Minister, he will not get entrie into the Ministerie by these Presbytries ; and, therefore, at best the Kirk will either vaik, or els these nominated in the ordinance must try and admitt the man to the Ministerie, which will putt into their hands the whole power relating to the ordination of Ministers, or els they must give certificats in order to a maintenance to men wha have not been tryed and admitted into the Ministerie. The two last of which have happily inconveniences attending them, the one of them establishing prelatie, and the wther a Ministerie without ordination. 3. It is verie uncertaine how long any benefite or advantage that this ordinance can promise, sall be continued with us. Sundrie particulars that were procured with it and wer no lesse promising for tyme, are already recalled. How great a folly then were it upon such an uncertaintie to run the hazard of so many snares and inconveniences and so much scandall and offence as doeth attend it !

A fifth objection is, that if this way be not imbraced, there is no uther probable way for preventing the bringing in of corrupt and insufficient men into the Ministerie, or for planting of Churches with able and godly men. Answer,— Upon supposall that it wer so, that will never evince that we may lawfullie and with a good conscience make use of this way. Necessities doe never justify things that are sinfull and unlawful in themselves. If the Lord, in the deepths of His wisdom and judgement, doe conclude

His Church and people under that sadd condition, either to want pastors, to feed them according to his heart, and to be opprest with the burden of insufficient or scandalous and corrupt men, or to make use of unlawfull remeadies, His Word doeth teach them rather to choyse affliction nor sinn, and not to haste after issues and cures of their owne devyseing, which God doth not approve, bot to bemoane their estate before Him and patiently wait for His salvation, who hes regaird to the oppression of the poore and to the sighing of the needy. Bot, nixt, we deny that, without making use of this meane, the caice is so desperat as is affirmed, becaus, albeit there be no eatholick remeady obvious for the present in order to this whole Church, yet through the Lord's mercy, as sundrie things have these yeirs past been gotten done in order to severall congregations in sundry pairts of the land, so there is hope that it may be so for the tyme to come, and, if those who doe cordially mynd the right planting of Congregations, wold meet and take counsell together amongst themselves in ordour to that thing, who knowes what the Lord might lead them upon concerning the same ?

A sixth objection is, that the benefite of this ordinance being rejected, it is like exceedingly to prove the present power to make them hereafter to deny to doe any thing for the advantages and satisfaction of the godly in this Nation, to look upon them as men imbittered and of most contentious spirits, who will refuse their owne mercies meerly upon this account becaus offered by them. Answer, Wee conceive that, waving all things that doe relate to the right and title of the present powers, satisfieing reason may be given them for preventing of any mistake of that kynd, by declaring unto them that, though there were no more in the matter, yet they cannot in conscience condescend to imbrace or make use of any power, is arbitrarie and prelatieall, which to naturall men among the English cannot bot be lookt upon as a great degree of an humble conscientious and self denied spirit.

FIRST REGISTER BEGUN IN THE YEAR 1654
AND ENDING IN THE YEAR 1658

THE RESULTS OF THE CONSULTATIONS of the Ministers of Edinburgh and some other Brethren of the Ministerie from dyverse parts of the land, meeting together from tyme to tyme since the interuption of the Assemblie 1653 for mutuall advise and counsell in the publik affairs of this distressed and distracted Kirk, with other papers of publik concernment which the Brethren recomended to Mr. Andrew Ker, Clerk of the Assembly, to cause putt together and keep in some record for the use and benefit of this Kirk and testimonie of their cair and faithfulness.

Letter from the Lord Protector to Mrs. Robert Douglas,
Robert Blair, and James Guthrie

GENTLEMEN,—Having occasion to speake with you concerning the settlement of the discomposd condition both of the godlie people and Ministers of Scotland, to the end you may enjoy the libertie of, and fellowship in Gospell Ordinances, and in all things tending to edification, the honour of Christean profession and practise, have protection and encouragement, these are to require you to make your repair hither to London with all convenient speed, so as you may be here by the sixth day of Junij next or suddenly after. You are not to faill in giving obedience to this order, and I hope you will not be wanting in your duetie to your people at such a tyme as this. I rest, your Loving friend,

Sic Sub^r OLIVER P.

Whitehall, 6th Maij 1654.

This Letter coming first to my hands, I finding it directed unto me amongst others to breake it open.

J. GUTTERIE.

Direct

For Mr. Robert Blair, Mr. Robert Douglas, and Mr. James Gutterie in Scotland.

This order was delyvered to Mr. Robert Douglas at Leith by Colonell Fenwick vpon Twesday the 16 of Maij about three afternoon, which after his perusall wes sent the same day by him to Mr. Robert Blair by an expresse.

Mr. Douglas wreat to Generall Munk the reasons why he could not goe, intreating him to present it to the Protector. Mr. Blair being guttish at that tyme, wreat his excuse to Colonell Fenwik. What way Mr. James Gutterie who did not goe, tooke for signifying his excuse, we know not.

Some Considerations concerning the late Order for planting of Kirks in Scotland

(This paper given to Generall Munk)

The Governement of the Church in Scotland, having after much search and enquiry both of old and late been found to be grounded vpon God's Holy Word, was not only asserted by publict writeing in both nations, but through the Lord's great mercy after many assaults was also established in the Church, in the Books of Discipline, and by many acts of Generall Assemblies, and confirmed by the Law of the Land ; yea, and the maintenance and preservation thairof was undertaken to the most high God, both in the Nationall Covenant and Solemne League and Covenant of the three Kingdomes.

By this establishment, it is concluded (according to the Word of God) both by Acts of the Church, and by the Lawes of the Nation, that the cognition and determination of Ecclesiastical matters (such as election and admission of Ministers are) doe belong to the Church and her Judica-

tories; and that the Magistrate may imploy a cumulative power, as a nursing father to the Church but no privative power destructive to the Churches authority.

In particular the matter of election, triall, and admission of Ministers, is clearly determined to belong to the Congregation, the Session, or Eldership thereof, and to the Presbetrie. In the Books of Discipline it is asserted that no person should be intruded into any Church office without the lawfull election and assent of the people, and without the voice of the Eldership. And in the Acts of Assemblie it is determined that the Session or Eldership should have the libertie of election, to which the assent of the people is to be craved; and the dissent (if there be any) either of the greater or lesser part is to come before the Presbetrie, who are to cognosce thairupon; and having settled the matter of election, they are to proceed to triall and admission, all which procedure is according to the Apostolicall and primitive patterne, and agreeable to sound reason, that a people who are to receive the bread of life by the Ministry of such as shall be placed, be not neglected in the choice, and that their Church guides set over them in the Lord have a cheife and hand in that mater of election.

As for the maintenance of Ministers, which is set apart as a sacred thing for the maintenance of the Gospell, it is cleerly determined to follow necessarily upon thair admission to the office; and by the Law of the Land it is a sufficient clame to the stipend of such a parish, that a man is admitted to the office there by the Presbytery. And herein also the Word of God is verie cleere, for it is Christ's owne Ordinance that the Labourer is worthy of his meat and wages, Math: 10. 10, Luk: 10. 17, and 1 Cor: 9, it is proven that maintenance is due to Ministers and followeth thairupon, both from Christ's Ordinance ¶ 14 and from the Law of Nature ¶ 7 and from the Law of Moses 9. 13.

As the enjoyment of these priviledges (whereby our progenitors did through the blessing of God enjoy Truth and Peace for many yeares, to the great greefe of the enemies of the Protestant religion, and joy of the reformed

Churches abroad) hath beene matter of joy and praise to God among ourselves and others, when He had raised up the ruines of His Hous amongst us, after that it had been so much overthrowne by the prelats, so it hath been and is no small matter of greefe to see this poore Church (after a little breathing) thrust in a new labyrinth of confusions by many late encroachments upon her priviledges and judicatories in the matter of placing and displacing of Ministers and of their maintenance. All which are now hightned by this late order concerning Church affaires, which could not reasonably have beine expected that it should have beine issued forth, if our condition and the matter had been clearly knowne. And as for the procurers of this order, they have bewrayed either their great ignorance and want of experience, or their great presumption, seing that none but Prelats and men of Prelatical humors have ever essayed to transact about the affaires of this Church without a commission from the Church, farre lesse without her privity. And Paul was so tender in this, as he would not so much as send one to carry a collection of the Church of Corinth to Jerusalem, without their owne consent, 1 Cor: 16. 3. And to the end these and the like evils may be remedyed (which will only be, by permitting Church judicatories to enjoy their wonted liberties, which are warranted by the Word, and whereunto we are bound by the oath of God), these few of many greivances and encroachments in this order are represented as followeth,

I. The power and libertie of election of a Minister is granted to the fewer part of the parish, provided they be judged to be the more sober and godly part, by those who are appointed for authorizing of Ministers and setting the benefice upon them. Wherein 1, There is no mention at all of any Church judicatories, as if they had no hand in that business, and particularly there is no acknowledgment of any power in the Session or Eldership in that matter, but a Minister may be chosen to the Congregation though they should all dissent, which is cleerly the enervating of Church order, and the bringing in of a confusion in place thereof.

2, Albeit the Presbytery not only have the power, and be the only competent judges of any incident, controversyes in the election of a Minister, but also are most fitt so to doe, as haveing more perfect knowledge of the disposition and carriage of people within their bounds, and being by frequent converse and visitation of Congregations acquaint with them, yet they are layd aside in this matter, and the power of determining committed to those who have no knowledge of them or of their sobriety or piety, but as they are helped by the information of any who please to intrude themselves as bussy bodyes in that matter, whereby not only the Church judicatorys must bear the imputation of unfaithfulnesse, but there is hazard also of wrong determinations through misinformation. For 3, hereby it may come to passe (as experience proveth it hath) that the body of a Congregation shall not only lose the liberty of electing a Minister to watch for their soules, but shall (through misinformation) lye under the imputation of being neither sober nor godly, whereas the carriage and deportment of many of them may witnesse for them to any unbyassed judgement, that those whose call is preferred to theirs have no such advantage of them, nay, hardly are to be compared with them. 4, Whatever may be said of the body of a Congregation, yet what more ready course can be taken to turne them atheists, and hinder any edification or profite they might reap by a Ministry, than to see themselves neglected in their call, and another thrust upon them at the desire of a few, when yet they are content to make choyse of, and submitt unto a Minister, who for abilities and conversation is ready to undergoe any lawfull and orderly triall? And what peace can such a Minister, so thrust in, have in his calling, if not only they doe not profite by his ministry, but are irritate by such practises, when he shall consider how they might have had another (probably no lesse able and qualified) whose ministry might have been a means to draw them to Christ?

II. Whercas it was the triall of this Church to be lorded over by 14 Prelats (her deliverance from which is a mercy

never to be forgotten), now Scotland is divided into five dioceses or Precincts, in everie one of which so many ministers and others are named for giving testimony, in order to the authorizing and setting of Ministers in that bounds, of which number foure (two being Ministers) are sufficient to any testimony, so that twentie men (ten being Ministers) have all power as to the plantation of Churches devolved in their hands over the whole Church of Scotland so divided, and have a negative voice over all the presbyteries, that they can doe no thing without them, or what they doe sall be null and of no effect, if they doe not concurre. This encroachment is so much the more greevous considering 1, That the innovations whereby this Church was lately brought in bondage, and whereby Prelats were advanced, came not to such ane hight in many yeares, as the power granted to these men by this order doth on a sudden advance them. 2, That their power is more absolute than any the Prelats ever attained unto by Law, for Prelats could not, save in some cases, hinder the admission of Ministers. But they may hinder whom they please *pro abituo* without limitation or restriction. The Prelats were also bound to give an account of their proceedings and submitt themselves unto the General Assemblies of this Church, but these men have power given them by this Order, for which and the exercise thereof they are not accountable to any Church judicatory (nor any other that the order beareth), which is a priviledge only the Pope pretends unto as his right. 3, Whatever be said of, or pleaded from the consideration of the men who are intrusted (which yet with all judicious men pleads but litle in the matter of right and wrong), and will be pleaded but from weak grounds, if they be compared with their brethren layd aside, yet it is a clear case that God hath never promised to blesse any meane in matters of His Church and Service, but of His owne appointment in any hand. And it was an old maxime that it lost a good man and a good preacher to make him a Prelate, and it is (not without caus) to be feared, that like may be said of this. And whatever may be said for exalting good

men thus above their Brethren, may be as justly pleaded for making them Prelats both in name and effect.

III. How plausible soever this power may seeme to be, yet hereby the whole power of Congregations and Presbyteries (as to the calling of Ministers) is made utterly voide, for the unanimous call of a people, and triall and admission of a Presbytrie, is of no effect, unles the persone chosen and tryed and admitted be authorized by them who have no Ecclesiasticall authority at all. And the testimonyes of Presbyteries upon a call, and due triall and admission, serves in no steed unlesse these brethren approve of what they doe, as if Presbyteries had no power given them by Christ in those matters, and were not worthy any trust, but to be held either as ignorant or men of no consciens. And if there be any shew of reason why these few should be sett over all the Congregations and Presbyteries in the land, the same may be as strongly urged as was argued against the Prelacy for setting up one sole umpire over them.

IV. By this order it is in the power of these men not to give testimony to any lawfully called and ordained Minister, and in place thereof they may (as hath been done already) give testimonies to men who are neither called, tried, nor ordained, who thereupon will be secured in the maintenance and authorized to preach in the Congregations where Ministers are already placed; and so in processe of time they may destroy the verie being of a ministry in this Church, and in place of ordained Ministers sett up men whom they please.

V. Upon this also (as experience giveth cause to fear) it will follow that, though Ministers be ordained by Presbyteries upon never so clear (yea, suppose, unanimous) a call of a people, yet they are in hazard to be thrust out by violence, if these attesters deny their Testimony, or give their Testimony to another, who is neither called, tryed, nor ordained according to order; and so it shall be in vane to use any meanes to plant a Congregation orderly. Or if Ministers be not thrust out, yet they shall be deprived of all maintenance and encouragement, if either for con-

science sake they dare not seek the testimony of these attestors, or if they, *pro imperio*, refuse it. This is a sharpe scourge and a most ready way to root out religion and a ministrie.

VI. By this order, intrants into the Ministry are brought under greevous bondage and servitude. For 1, it layeth a necessitie upon them to stoupe to these attesters, and (contrary to their judgement and conscience) to acknowledge their power over the Church and judicatories thereof, otherwise they need not mynd the ministry, or may not expect to have liberty to enjoy it, or maintenance in it—which doth parallel the difficulties honest men had in entering under Prelats. 2, It exposeth intrants to tentations and snares of compliance with the opinions and practises of the attesters, otherwise they cannot expect to gett their testimony and approbation. 3, It not only subjects them to a needless travell, but an unseemely *ambitus* in courting one person after another for obtaining accesse to the ministry and maintenance in it, and that so much the harder, as there are few Presbyteries wherein a sufficient number of attesters are to be found, and some (yea many) wherein there are none at all, so that they must travell from Presbytrie to Presbytrie to seeke them and obtaine their favour. 4, Beside their trialls by the Presbytrie, they must subject themselves to the triall of these attesters who cannot give with a good conscience a testimony but upon triall; and so they must either attend upon a meeting of them for that end, which is to acknowledge a new Church judicatorie and high Commission, or they must be tried by everie one of them apart, which, beside the toile putt upon intrants, gives to everie one of these attesters power by themselves to judge of a Minister's abilities, which is a power more than Prelaticall. And it may probably fall out that an Intrans may goe through all the members named for that bounds, and be tried by them before he gett a competent number to approve of him.

VII. Albeit the power itself which is intrusted to these men in this order be unlawfull, in whose hands soever it

be putt, yet this doth adde to the greivance, that the choice that is made of persons in this order is such as cannot but stumble this Church, for however some be named here and there, who acknowledge the authority and judicatories of the Church, yet the matter is so ordered that in none of the five divisions there shall be any sufficient number to settle a Minister, but of such as have opposed the judicatories and some of them under censure of the Church, so that this is nothing else but to put power in the hand of a faction and party to ruine the Church and Ministry. And being parties against such as cleave to the authority and judicatories of the Church, they cannot in equity or conscience be fitt witnesses to testifie concerning those whom by their judgement and practises they have already condemned, and do daylie labour to make odious, and by this verie order seeke to suppress. And it is a verie hard case that witnesses are established to testify concerning men, before their exceptions against them be heard. It cannot be avoided in this course but that the innocent must be unjustly condemned, when no testimony but what is justly suspected is admitted concerning him.

VIII. Since the Lord in great mercy hath granted to His people in this land a constitut and settled Church in doctrine, worship, discipline, and government, it cannot but be a sad greivance that liberty should be proclaimed to gather churches out of a constitute Church, and that not so much as a question should be made of their piety who do so, for the order as to them is generall and without any such qualification and restriction, as is given in the case of the Ministers. And so in place of the preservation of the Religion established in the Church of Scotland according to the covenant, a Toleration is proclaimed of all or any Religion that shall mask itself under the veile of a gathered Church ; and so if God prevent not, they may unchurch all the constitute Churches in Scotland.

IX. This greivance is yet the more sad, that, 1, not only is there a liberty and immunity only granted to the Authors of such courses, but encouragement of maintenance

also held out unto them; and that, 2, Out of the vacant stipends which being appointed by Act of Parlt: to be employed by the several Presbyteries, with consent of the heritors and parishoners, unto pious uses, and now by this order sett apart as an encouragem^t to them who shall rent the Church, and overturne the docterine and decipline thereof. 3, This is yet the most greevous, that it is not in the power of the people by their unanimous Election, nor of the presbyteris by their triall and ordination, to make the stipend cease to be vacant, or not to be interverted, but to be imployed for the maintenance of those who labour in the word among them. But supposing all the Congregations in the land were orderly planted, it is still in the Attesters' power to expose all the settled Ministers to starving, and to leave all the stipends vacand for such uses as they please. And particularlie in that division be north Angus which comprehends a great part of Scotland, there are foure nominate, who, having separat themselves from the Church of Scotland and being a sufficient quorum by the order, have it in their power and will not want affection (as may be justlie supposed) to plant all that part of the countrey with men of their judgem^{ts}, or may have a great hand in leaving all the stipends vacant, to be imployed as is appointed in the order.

X. Since the Lord hath mercifully established judicatories in this Church which are intrusted by him with ecclesiasticall affairs, and with the triall and censure of scandalls and opposition unto piety in Ministers and others, it cannot but seeme strange that not only they are not so much as named in all this ordinance, as if no such thing were, and are laid aside in the matter of planting Churches, but they are utterly deprived of all Church power, and it put into the hands of others who have no ecclesiasticall power at all. Whereby, 1, The Civill powers doe take upon them at their pleasure to dispose of ecclesiasticall affairs, and that to the overturning of the settled Church order, a power which, as it no way belongeth to the civill magistrat (however he may excite Church Rulers to do their duety in their stations), so it was never yielded unto by this

Church att any time, but they have freely told the Magistrat that such courses would not be for his honour from the Lord God, as the preists said to Uzziah, Chron: 26. 18, 19. 2, By this means it is in the power of those who are intrusted to judge of scandalls and scandalous persons, which are matters only competent to Ecclesiasticall cognition *in prima instancia*. And so all or any Minister, yea, and Church judicatories in the land, are exposed to the hazard of censure and punishm^t, if it were but for opposing a Sect master in his drawing disciples after him, or for setting themselves against the miscarriage of others who pretend to piety, if those who are intrusted, account that to be an opposition to piety or be informed that such and such men are enemies to it.

XI. By those fore mentioned greevances and what further may be observed in this order, it is apparent that as the League and Covenant^t is not so much as mentioned in it more than if it had never beine or were buried, when yet it medles with matters secured by the oath of the Covenant, so that there is in it a manifest violation of those articles of the covenant^t which relate to Religion, for the doctrine is exposed to hazard in several respects; worship cannot be preserved pure, if the doctrine be corrupted; the discipline and Governm^t are made void and overturned; our uniformity amongst ourselves is turned into a difformity, and no hope of promoveing it according to the Covenant; and a doore is open to popery, prelacy, and all the other evils covenanted against.

Greevances concerning the affairs of the Kirk of
Scotland with the Remedies thereof

(*This paper given to the General*)

1. It is a greef to us that the liberties of the Kirk of Scotland in the judicatories thereof, being grounded upon the Word of God, settled and established by many acts of Generall Assemblies, conformed and ratified by the Law of the land in so many acts of Parliam^t, solemnly sworne to by all

the members of this Kirk, and the maintenance thereof undertaken by Covenant to the Most High God, should be now so interrupted, that we doe not enjoy them as formerly we did.

2. That there are so great encroachments upon the Govern^t of Christ in this Kirk amongst us, taking away in great part alreadie, and tending further to the utter subversion of His spirituall visible governm^t distinct from the civill powers of the world by His owne lawes, Ministers and other officers, and discipline institute by Himselfe for ordering His house and people in matters relateing to their spiritual estate and conditions, which is no ways prejudiciall to civill powers and governm^t, but on the contraire contributeth verie much for the strengthening and preservation of the same, as hath been often abundantlie asserted and cleared before the world. It's matter of heavie regrave that these two should be counfounded.

3. That congregations should be disorderly planted contrarie to the established order of this Kirk, as many Congregations have been these late years by past, and yet are planted, by intrusion of men upon them to be their Ministers against the mynd of the whole presbyteries, or the greatest part thereof, and against the will and choice of the whole people, or at least the body of them, a few excepted, who, assuming and appropriating to themselves the name of the godlie, will needs, contraire to all orders, carrie the sway of the whole congregation, and usurpe over all their fellow-members, which tends palpably to the enslaving of the whole congratiouns to the arbitrim^t of a few, or other wise to the rending and breking of congregatiouns with endless rapture and divisions.

4. That, by the suggestions and misinformatiouns of some few men who notwithstanding are engaged by oath and Covenant to adhere unto and maintaine in their stations the Governm^t of this Kirk, the seculare power is procured to maintaine these disorders, and persons so intruded upon Congregations contraire to the right order of plantations used in this Kirk, which suggestions tend to draw

the whole power of Kirk governm^t into the hands of a few men, as was also designed by the late procured order for giving testimonials to all intrants into the Ministrie, which maketh the whole plantation of Kirks in a whole fifth part of the Land blindlie to depend upon four men, two of them being ministers, an usurpation far beyond any thing that ever prelacie amounted or pretended to. At which procured order wee do here againe declare our greeving, as palpably subverting the whole government establisht in this Kirk, especially as to the calling and planting of Ministers, as was particularly and evidently made manifest in our former paper anent that order, to which we do now refer.

5. That godlie and faithfull men who have been most instrumental for the good of the Kirk and have stood against prelacie and malignancie, and do yet stand against the same and against all usurpations upon the Kirk, should, for withstanding usurpations, encroachments, and disorders of that nature, be misrepresented and traduced as men who favour not but oppose piety, which misrepresentations tend and no doubt are designed to the laying aside of the most part of the faithful Ministers in Scotland, to the end that some few men may govern the Kirk, a thing which cannot but bring ruin upon the Kirk and governm^t thereof.

6. That the consciences of honest men in the Ministrie, living peaceable, are straitened and have bonds imposed upon them by proclamations to which they cannot yeeld without wronging their consciences. Whereas, were such bonds off them and they left to their freedom, they might the better deliberate and resolve upon what is most convenient to be done under the present dispensations.

7. That we are traduced as medlers with civill affaires, whereas, as we have renounced by covenant all civill power, so wee nor medle (as is evident to all who sees our procedures and actings, which are not hid in darkness, but open and plaine to the view of all men), nor intend ever to medle with civill business, but are resolved, by the Lord's grace, to keep our selves close to such matters as

are merely ecclesiastick, pertinently belonging to ecclesiastick courts.

8. That the lawful judicatories of this Kirk are so injustlie scandered and held forth as corrupt, and the members whereof they are constitute, to be for the most part profane and scandalous. This is the verie maine engine of the disturbers of this Kirk, to bear the world in hand that the judicatories are corrupt and profane, that under that pretext they may have all Governmt^t in their owne hands. And this is one of the maine principles and practise to cast all lawfull established judicatories at their pleasure, to get all power under pretext of pietie, and that none be permitted in nor admitted into judicatories but men of their own stamp, disaffected unto, and impatient of any Governmt^t, unless themselves carrie the whole sway.

9. That it is our greef that there are such divisions and distractionns in our Kirk, so through the continueing of those divisions and distractions the judicatories of the Kirk are interrupted in the purgeing out of such Ministers as might by orderlie triall be found scandalous or unsufficient. It is true indeed that some men blazes it abroad and does what they can to possesse the mynds of men unacquainted with our affaires and condition, with a persuasion that the judicatories of the Kirk are wholly or for the greatest part constitute of corrupt and profane men, and that herein lyeth the cause obstructive of the purgeing of the Kirk. But it is as true that this is, as we have said in the preceeding greevance, a mere unjust slander sett on foot for serving and promoteing their designe to gett all Government into their owne hands. Blessed be God there are in our judicatories such numbers of unquestionable godlie and faithfull men zealous for God's glorie and the advancement of Christ's Kingdome, that, were they not hindered by several of their brethren doeing what they can to break judicatories, and to expose them to contempt by daylie needlesse protestations, reproachfull invectives, and other divisive wayes, would prove both able and active to purge out of the Kirk all

such persons in the ministrie as should be found scandalous or insufficient.

10. It is matter of sad grief to us that, whereas, through the mercie and good hand of our God, Reformation of Religion in doctrine, worship, discipline, and Government according to His Holy Word, was settled amongst us, ratified by the Law of the land, and a Covenant was taken and sworne to the Most High God for defence and maintenance thereof in all its parts in this Kirk of Scotland, as is expressed in the first article of the Covenant, there is a Toleration of any whatsoever erroneous persons that shall mask themselves under the title of a gathered Kirk, that some members of this Kirk solemnlie sworne to the doctrine and government thereof, are countenanced to oppose the same, and that, through want of the effectual exercise of discipline, poperie itselfe doth so grow and spread, and seminarie preests and Jesuites resort from forraigne Nations, and traffick in the land to the evident danger both of Religion and Civill Government.

Remedies

For remeedieing of those greevances and evils, it is necessarie to have the Ecclesiastick Government runing in its right channell and going on in its exercise, as it is established in this Kirk, according to the Word of God, by Acts of Generall Assemblies, confirmed by many Acts of Parliament. And particularlie,

1. That none of the judicatories of the Kirk be impeded to assemble and to act and exercise Ecclesiastick power competent to them by the Word of God and Constitutions of this Kirk.

2. That the cognition and determination of all Ecclesiastick affaires be permitted and left to be exercised by the judicatories of the Kirk, as is by warrand of God's Holy Word concluded by Acts of Assemblies acknowledged and ratified by the Lawes of the Nation.

3. That no person be intruded into the Ministeriall office in aine congregation without the lauchull assent and elec-

tion of the congregation, and without orderlie triall and ordination by the Presbyterie; but that the calling of persons to the office of the Ministerie be performed and caried on according to the established ordour of this Kirk, and specially the Act of the Generall Assemblie 1649, intituled The Directione for election of Ministers, whereby it is determind that the session or Eldership of a congregation shall first nominat the persone to be the minister, that unto their nomination afterward shall be craved the assent of the people, and if there be any dissenting by them, that the dissent either of the greater or lesser part be brought to the Presbyterie who are to cognosce there upon, and, having setled the matter of the election, they are to goe on to the triall of the person elected, his abilities for the work of the Ministrie, and of his life and conversation, and thereupon to ordination and admission, haveing found him pious and duely qualified for the charge, all which procedure is according to the apostolick and primitive paterne, and agreeable to sound reason.

4. That Ministers, lawfullie and orderlie called by election of the people and the ordination and admission of the Presbytrie, be allowed to enjoy forthwith the maintenance sett apart and appointed for the entertainment of the Ministrie of the Gospell according to the law of the Nation, which determines it to be a sufficient right and clame to the stipend of a paroch, that a man be lawfullie admitted to the office of the Ministerie therein by the Presbytrie.

5. That all Ministers and other Church rulers, laying aside their heart burnings and leaving their distractions and divided actings, unite with their Brethren in their severall respective places and judicatories, and joyne and concurre therein in an unanimous way for the exercise of Ecclesiastick government for preserving and promoveing the work of Reformation in all the parts thereof, for advancing the Kingdom of Jesus Christ and the spirituall good of His people, and particularlie that the purgeing out of such Ministers as may be found scandalous or unsufficient may be unanimously, vigorouslie, and effectually

gone about without respect unto persons, by a legall and orderlie procedure ; and that no Companie of Ministers or others be esteemed or acknowledged to be a Presbytrie or other Kirk judicature, who have not been owned as such a judicature, and authorized by their respective superior judicatures ; and that if any few Ministers or others who are not authorized in maner forsaid, take upon them the authoritie and judication of a Kirk-judicature, and do exercise any acts of Government in calling or deposing Ministers, or inflicting any other censures, that they be not countenanced nor any of their actings owned as deeds of a lawfull judicature.

6. That all members of this Kirk, Minister and people, submitt themselves in matters Ecclesiastick to their Presbyteries and Synods respective (as being sett to have rule over them in the Lord), wherewith alwayes is to be understood that if any do find themselves justlie greeved with any determination of an inferior judicature, they may have recourse, by appealls in an orderlie way according to the rules of this Kirk, for recognition and redress of their greevances.

7. That Ecclesiastick censures which shall be pronounced by the judicatures of the Kirk against any members of the Kirk, Ministers, or others for Scandals, be not impeded nor stopped, nor any persons so censured, disobeying, contemning or opposing the discipline or government of the Kirk, be countenanced or encouraged in their disobedience, contempt or opposition. And whereas some men are bussie to suggest that the judicatures of the Kirk being such for the most part as stands for the authoritie and constitution of the two late General Assemblies, do exercise oppression over these that dissents from them, and that, if they had liberty to exercise their full power, they would undoubtedly crush the other part, by casting out many godly Ministers, holding out of the Ministrie able and godly expectants, and censuring all others differing from them, it is no thing else but an unjust slander, as evidentlie appears both by the Act of the General Assemblie at Edinburgh 1652, 2 August, Session 18,

intituled An Act and Overture of the General Assemblie for Peace and Union of the Kirk, and their carriage ever since. And yet still the judicatories, standing for the authority of these foresaid General Assemblies, out of their earnest desire of union and peace in the Kirk are willing and resolved to perform the offer made in the foirsaid Act viz. :—That all censures that have been inflicted upon any for declyning and protesting against those Assemblies, shall be taken off them; and that no censure shall be henceforth inflicted upon any who have been accessorie unto the said declinatouris and protestations for that cause, providing they will judicially passe from those declinatouris and protestations, and give assurance that they shall not disturbe nor trouble the Kirk about the matters of our differences, since the Assemblie 1650, which that they should do is most just and necessarie, their practices and principles in those matters being of most dangerous consequence both to Church and State and destructive to all authority and government.

8. That private suggestions against godlie and faithfull Ministers and others, tending to bring them in disgust and reproach, and to begett jealousies and indignation against them, be not harkened to, nor the authors and whisperers thereof be countenanced or encouraged; but that Ministers and other professors be esteemed off, not by secret informations and suggestions of any bussie bodies, but by right looking at and considering their actings, deportment, and carriage in their stations, callings, and whole conversation.

A Letter to Mr Jo: Liviston

REVEREND DEAR BROTHER,—Wee have heard with great greef and astonishment that some few of the Presbytrie of Chirneside with yourself and others of other Presbyteries, are upon a course of triall and admission of a man to a Kirk within the Presbytire of Duncce, which is already planted, with the consent of the farre greatest part of the Parish, by the whole Presbytery unanimously. To us it seemes verrie strange and unjust that men of other Pres-

bytires should usurpe upon a Presbytire whereof they are not members, albeit the Kirk wer vacant where unto he is to be admitted, and much more when it is already provided. And wee see clearlie it is a grosse violation of our discipline, solemnly sworn unto in our National Covenant and Solemne League and Covenant, and a violent overturning of all Presbyteriall Government, for by the same method all the Presbyteries in Scotland may be wronged, and all the Kirks of Scotland may be planted by five or six private Ministers, at their pleasure, an usurpation the prelats did not practise. Wherefore, out of most heartie love to you, we are constrained to obtest and request you, by all the comforts that you and wee have at any tyme found in Christ in serving Him in His owne lawfull method and ordour, that you and these others may desist from that strange usurpation, and not be accessorie to the violent pulling doune of all the discipline of this Kirk. Wee are not so well acquainted with these others that joyne with you in that course, as with you, but wee have yet confidence that God has given you such wisdome, ingenuity, and integrity as to take this brotherly freedome in good part, and to desist from this disorderly course, and to deale with these others to abstain also. An now, Dear Brother, wee intreat the God of Heaven, who is not the author of confusion, but of order and peace in all the Churches of the saints, to divert you from that most dangerous and destructive preparative, which is of itself verie scandalous to this well constitute Kirk, the constitution whereof is no other then according to God's Word, and which we were sworn to maintaine when it wes consisting of the same members that now it consists of for the most parte, who are not changed in the points either of doctrine or discipline as yourself know ; and therefore it is not to be overturned by any privat men presuming upon their owne godliness and abilities and unwarrantable and extrajudicialle condemning others as unsound, unworthie and incapable of that trust. You know how evill it is to give offence to one of the least of them that beleive, and much more to a Nationall Kirk, which makes

us confident that you will respect this serious desire and request as proceeding from the conscience of our dewtie to this Kirk and from the fond affection of

Your verie loving Brethren in Christ,

M. R. DOUGLAS

M. D. DICKSON

M. JAS: HAMILTON

M. GEO: HUTCHESON.

Edinburgh, 2 *December* 1654.

Direct

ffor our verie Reverend and loving Brother in Christ
Mr. John livingstoun Minister at Ancrum.

These

Resolution of some Brethren mett at Edinburgh concerning mentioning the King in their Publick prayers

Edinburgh, 5th *October* 1655.

Dyverse of the Ministerie from several parts of the land frequently mett here at Edinburgh to consult about that question concerning the mentioning of the King in the publick prayers of the Kirk, after frequent and serious seeking counsell of God and many conferences amongst ourselves at sundrie tymes there about, having found that the continuance of that practise of mentioning the King in the publick prayers of the Kirk under this dispensation of Providence, wherewith the Lord is pleased in His righteousness and wisdom to exercise this land, and after the taking off, through the Lord's goodness and mercie, these restraints and penalties contained in the several prohibitions of that practise which did straitten our libertie in that matter, will bring unavoidable prejudices not to many godly Ministers only, but to the Ministerie itself, and to the free exercises of the Gospell in this land, therefore upon these and other consciencious grounds, and motives, wee have resolved for ourselves to forbear that practise above expressed, declaring in the simplicity of our hearts that,

as it was not stubbornnesse of spirit nor any carnall respect, but religious motives, that engaged us to continue in that practise untill this tyme, so it is not out of levity, nor from anie fear of losse or personall suffering, nor from any worldly advantage or carnall motive whatsoever, that now we forbear it, but from clear conviction in our consciences that the forbearance thereof in the case before mentioned is lawfull, necessarie, and for the advantage of the precious Gospell of Christ in this distracted Kirk, which is and ever shall be through His grace dearer to us than our lives.

Conference 1 Junij 1655 and 8 November 1655

(The names of these upon the Conference here omitted are sett down, page 75)

There being a conference betwixt Brethren of both judgements accorded to be at Edinburgh upon the first of Junij 1655, for composing the present differences, the Brethren for the two late Assemblies sent to their dissenting Brethren their overtures for union, but received no answer at that tyme nor untill 8th of November, at which tyme there being another meeting for conference, the Brethren, then mett, conferred both by word and writting untill the 28th day of November, but dissolved without any aggreement, the papers interchanged betwixt them in the conference are here insert.

Overtures for Union offered the Dissenting Brethren

1 *Junij* 1655.

Although wee are mett here as privat men, and cannot take upon us any thing that concerns the Generall Assembly, but must leive the cure of all publick differences to their wisdom and authority, yet the sad consequences of these late divisions being so scandalous and hurtful to this Kirk, wee judge it necessarie that everie Presbytrie and Synod that are divyded, should unite for the better carreing on of the work of God among their people, and for that effect in the *interim* untill a Generall Assemblie.

1. That all the members of this Kirk, Ministers and people, shall submitt themselves to their Presbyteries and Synods respectively ; and if any be greeved with any determination of a Presbytrie, they may appeal to their Synod ; and if any be greeved with the determination of the Synod, they may appeale to the Generall Assemblie. But in the mean tyme the sentences of the Presbyteries and Synods are to be acqueseed unto, untill the determination of their respective superior judicatories therein.

2. Becaus there may be in this Kirk Ministers scandalous and insufficient, the Presbyteries shall have a care to purge out such ; and if they be not able, then Synods shall doe it impartially without respect to persons by a legall and orderly procedure against them.

3. Where Ministers are putt in congregations, whose call and gifts are called in question, that Synods try and judge of their call and gifts according to the Books of Discipline, the order of this Kirk, and especially the Act Assemblie 1649 intituled the Directorie for election of Ministers.

4. Where there be two contrarie plantations to one Kirk, the Synod shall try the Call and gifts of both persons, and decern therein according to the order and rules mentioned in the precedent article.

5. That vaking Kirks be planted by Presbyteries and Synods respectively according to the order and rules mentioned in the 4th Article.

6. To prevent and remove confusions at communions, that hereafter no communions be celebrat but according to the Act of Generall Assembly 1645, made for preventing such disorders.

7. To shun confusion and prevent a totall subversion of Presbyteriall Government, by the divisions and subdivisions of some few Ministers taking upon them the authoritie and jurisdiction of a whole Presbyterie, that none be esteemed or acknowledged a Presbyterie who are not owned as a Presbyterie and authorized with that jurisdiction by their superior judicatories.

Overtures for Union, given by the Dissenters
upon the 9 of November 1655

That reserving such libertie of our judgement and practice in matters contraverted, as may consist with trueth and peace, there may be an union upon the terms following—

1. That the Acts of the Commission of the Generall Assembly 1650 concerning the publict resolutions and their declarations and warnings and acts resulting thereupon, and the declarations and acts of the two late contraverted Assemblies of Dundie and Edinburgh, and all uther declarations and acts in Presbyteries and Synods, that are the results of these, be rendered of none effect in order to censures past or to come, and also so farre as they do import or may be alledged as the publict definitive judgment of this Kirk or of any of the judicatories thereof anent the matters contained therein, and that they be not reacted in any tyme hereafter.

2. That it be declared that the two contraverted Assemblies at St. Andrews and Dundie and Edinburgh, shall be, as to their constitution in the things protested and excepted against, no precedent nor prejudice to the constitution of future Generall Assemblies.

3. That in matters concerning the doctrine, worship, government, and discipline of the Church, and the enemies of trueth and godlines, and the worke of Reformation, there may be mutuall obedience and assurance given for adhering unto these articles of our Covenants, and the solemne publict confession of sinnes, and engagement to dueties and all the acts of uncontraverted Assemblies relating thereunto in the literall and genuine sense and meaning thereof.

4. That for the same end there be assurance given by declaration or engagement or some other equivalent way by Presbyteries and Synods, that they shall faithfullie and cordiallie endeavour the purgeing of the House of God from all insufficient and scandalous and corrupt Ministers and Elders, and for that effect shall condescend unto the

appointing of commissions and visitations for tryell and censure ; and that the procedoure in the triall and censure shall be according to the Acts of uncontroverted Assemblies, and for the same causes and in the same maner as it was before these differences did arise.

5. That for making of this worke of purgeing effectuall, and in ordour for other publiet affaires of the Church, the Commission and visitations appointed by the Assembly 1650 do sitt, if not by the authority deryved from that Assembly, yet by these persons by the mutuall condescendence and approbation of Presbyteries, and that, by the same mutuall condescendence and approbation, that commission or the persons nominated therein may have power to determine and compose the particular divisions that are now or shall be hereafter in particular Presbyteries and congregations. Or, if this article doe not please, that there may be an particular visitation for tryell and censure of insufficient and scandalous Ministers and Elders appointed in the bounds of everie Synod, with authority for that effect from the Synod itself, and that this visitation shall consist of an equall number of persons of both judgements, of knowne integrity and approven godlines and zeal for the worke of Reformation, each halfe to be nominated by these of their owne judgement and to be approven by the Synod, and that these visitations thus nominated and appointed may also have the power of composing the present or future divisions that are or shall be in the severall Presbyteries and congregations within the bounds of the Synod.

6. That such Ministers, Expectants, and schoolmasters, who were deposed or silenced or removed from their charges by Generall Assemblies or Synods or their commissioners, or by Presbyteries, before these differences did arise, and have again intruded themselves or are reponed unto publiet stations in the ministrie or schooles, or have their mouthes opened by Presbyteries or Synods without confession and acknowledgement of and repentance for all the particulars contained in their sentence, or otherwise then is provyded in the Acts of uncontraverted

Generall Assemblies, may be put in the case in which they formerly were by the sentences pronounced against them, and that they nor any such may not have access to the Ministrie, or to preach the Gospell, or to teach schools, but upon the confession of and repentance for all the particulars contained in their sentence, and as is provided in the uncontraverted Assemblies anent such persons.

7. That Presbyteries and Synods doe declare and assure that, in planting of vacand Kirks, they will have speciall regard to the call of the more judicious and godly, and such as have been straight and zealous for the worke of Reformation, though the small part, and that they will not lay the weight upon the call of the ignorant or profane or such as have been newtrall in or enemies unto the worke of Reformation, though the greater part of the Congregation, and that they shall admitt none to the Ministrie but such who are not only able and free of public scandal and sound in the faith, but also of knowne integrity and godlines, and do endeavour to be powerfull and spirituall in their Ministerie.

8. That the union being transacted and settled on these termes, it may thus proceed for a considerable and competent tyme for the better consolidating of hearts and affections, and be getting the more mutuall betwixt Brethren that differ, before the calling of the Generall Assembly, and that when it shall be found by mutuall consent expedient to call a Generall Assemblie, that before the election of Commissioners in Presbyteries, an equall number of Brethren of both judgements from the bounds of the severall Synods chosen as aforesaid, shall, with the consent and approbation of Presbyteries, meet together and condescend upon the dyet of the Assembly and in an ordourly and peaceable way of electing of commissioners and of handling of such matters in the Assemblie, and in such a way as may most contribut for edification in the things that pertain to the Kingdome of Jesus Christ and to the good of Souls.

Queries proponed by the Brethren for the Assemblies
upon the Overtures given in by the Dissenters

November 12, 1654.

Because in the overture for union represented to us by our Brethren, there are some things darke and dubious to our apprehension, so that we may happily mistake our Brethren's sense and intention therein, therefore, for avoiding such mistakes and unprofitable in spending of time that may be thereby occasioned, wee desire to be cleared in these particulars following, for a right understanding of our Brethren's meaning, wherein being cleared, wee shall by the Lord's Grace delyver our mynd to them upon the articles of the overtures, declaring what we cannot agree unto, and what we may and will yeeld (being resolved herein to condescend as far as in justice and conscience we can possibly) for obtaining the so much desired union, and shall shew ourselves ready to conferr with them in a brotherly way upon all.

1. Concerning the matter, the preface,—I. Wee desire to know the extent of these matters contraverted, which are made the object of the liberty desired to be allowed. And, 1, in relation to the time past, if under these be comprehended not only the principall contraverted matters upon which our sad distraction began, viz., the westerne Remonstrances, the publick resolutions, and the authority of the two late Generall Assemblies, but also all such matters wherein differences have been fallen or run upon since that time; 2, for time to come, if they shall be stretched furth unto all such matters as haply may be contraverted amongst us hereafter. II. If the liberty of practise desired to be allowed in these matters contraverted, be mutuall or not, for exampill, if it importeth liberty on their part to declare and reason by preaching, writeing, etc., for the matters of the remonstrance and against the public resolutions and the authority of these Assemblies, and the same liberty be not also reserved to

us against their judgement in these matters. III. What is the meaning of that part of the limitation as may consist with truth?—for, 1, if the liberty be mutuall, how can it consist with truth, seeing the one part of us must certainly maintaine an untruth? 2, if that limitation doth not leave them rounge, yea doth not import, according to their judgement of things, an obligation upon their part, and a concession upon ours (if it be accorded by us) for them to condemne our judgement in the matters now contraverted, as contrair to truth in a Generall Assemblie, whensoever they shall have the plurality of suffrages, which yet they will have us bound up from, as appeareth in the close of the first article. IV. Wee conceive it verie needful that there be some clere circumscription of such practising in these matters contraverted, as is to be accounted consisting with peace. Because if this be left in generall undermined, men haply (they taking no rule for this but what in their owne mynd and conscience they do judge and conceive to be expedient and consistent enough with peace) may run in such a latitude of practise in these matters as will render any agreement for union that shall be made now, ineffectuall and altogether to no purpose. Particularly we desire to know if thereby be imported that, notwithstanding the union desired and an agreement that shall now be made, it shall be free for everie man, when they judge it expedient, to be publickly venting and debating for their owne opinion, and against the opinion of others in these contraverted matters by preaching writeing or printing.

2. Concerning the first article, 1, Wee desire to know if the meaning and intention of the first branch of that article be this much only, that what censures have been inflicted by vertue of these Acts, Declarations, etc., shall be wholly taken off, as if they had never been, and assurance given that no censure shall be inflicted nor any person be prosecuted toward censure for time comeing by vertue of any of these Acts, Declarations, etc., or anie thing more. 2, If in the second branch of that article the meaning be that the publick resolution concerning the lawfulness of

the supreme civill magistrates imploying in armes the body of the people of the Nation in just defence against forraine invasion, is not the publick judgement of this Kirk, and that albeit the same was determined and defined by the Commission of the Generall Assemblie 1650, and that the determination of the Commission approven and ratified by the Assemblie at Dundie 1651, that either we shall disclame these judicatories as no judicatories of this Kirk, or we, supposeing and holding them to be lawfull judicatories of this Kirk, shall agree that these determinations be razed and blotted out of their Registers, as if they never had been concluded by these judicatories, or if anie other thing less than this.

3, If the meaning of the last branch of that article be that in no possible occasion hereafter of injust invasion of this nation or of this island by anie forain enemie, to destroy or subdue the nation or nations, there shall be any resolution for imployeing in armes the body of the people for defense of the nation or nations consented unto, be declared to be lawfull by this Kirk, and that as to this we shall engage not onlie for ourselves but also for all others that are to succeed to us in this Ministry and judicatories of this Kirk.

3. Concerning the second article wee desire to know,

1, If the declaration desired to be intended to import, upon the part of those who shall declare for a positive concession, that these two late Generall Assemblies were in their constitution vicious and unlawfull. The article seemes upon the matter to import so much, the declaration being desired to be upon the account of the protestations and exceptions made against them which alleged that they were viciously and unlawfully constitute.

2, If such a declaration doth not debarr, and so, if we, by making such a declaration, shall not be judged and holden by our consent and deed to debarr, all that are of our judgement about the publick resolutions, at least all such as had hand in carrieing them on, from being members of anie ensuing Generall Assemblie. Seeing that was one of manie things protested and excepted against in

the constitution of these Assemblies, that they were constitute of those who had hand in and were active for the publik resolutions, whom they in their protestations judged scandalous and would have removed from the Assemblie upon that account.

4. Concerning the third article, 1, We desire to know what shall be the nature and forme of that evidence and assurance which is desired to be given for adherence to these things mentioned in the article, if it shall be by a new engagement or Covenant to be solemnlie taken or subscribed by all, and if so, what is the ground and necessity of it. 2, That they would specifie which are these articles of our former Covenants that we are to ingage for adherence unto, and which articles are to be left out. 3, What is meant by the literall and genuine sense of those articles of the Covenants of the Confession of sinnes and engagement to dueties, and of these Acts of Assemblies; at least if our brethren conceive that there are any particulars in anie of those heads mentioned, of which there are apprehended to be, or feared may be different senses taken up by diverse persones, that they would condescend upon the particular places and signifie what they judge to be the genuine and literall sense thereof, to the end we may be cleer what we are desired to engage for adherence unto by this clause, seeing, when different senses are taken up of one and the same thing, everie one is readie to alledge that which himself takes up, to be the literall and genuine.

5. Concerning the fourth article, 1, Upon the beginning thereof we renew the same desire which was exprest in the first place upon the preceeding article. 2, What is meant by requiring censures for the same causes as were formerly? and whether all causes for which censures were formerly inflicted be now in being, and if there be apparent occasion of acting all of them now? Further, there being now other causes that were not formerly, and these more dangerous than some of those former as to this present time, whether that clause be to be understood restrictively and exclusively? 3, What is meant by the same manner as

formerly? Whether this doth comprehend every thing that hath been used to be done and practised in the maner of procedure, order of triall of persons challanged for offenses, admitting and examining of witnesses, judging of the relevancy of probations, pronouncing of sentences by anie whatsoever of these severall judicatories that before the time designed in the article have been imployed in such maters, wherein there may have been great variety and difference, and some things in the maner used and practised by some which, may be, none of us of either judgement would allow as precedents for us now.

6. Concerning the fifth article, and, first, the former part thereof, wee desire to know if by the Commission of the Assemblie 1650 or these persones desired to be authorised for the end exprest in the article, be meant all persons nominated to be upon that Commission without exception. 2, If such committees, whither appointed by mutuall condescendency or appointment by Synods in their respective bounds for the ends exprest in the article, should be agreed unto, whither it be mentioned that persons censured by them shall be obliged to submit to their sentence, albeit they be not convinced in their owne conscience of the equity of the sentence or not.

7. In the sixth article, we desire to know whether these clauses otherwise than is provided in the Acts of uncontraverted Assemblies and as is provided, etc., doe require peremptor observing of the maner of readmitting persons spoken of in the article, in everie circumstance thereof appointed by the Generall Assemblies. For example, it being appointed by Acts of former Generall Assemblies that Ministers deposed for some offences shall not be readmitted nor have their mouthes opened but by the Generall Assemblie itself, whether it be intended by this clause, that now in our present case no Minister deposed, although otherwise giving all necessarie satisfaction, may be readmitted or have his mouth opened untill there shall be a Generall Assemblie. And if any have been readmitted or had their mouthes opened by an inferior judicatory, it shall be null, albeit

the person hath given all necessarie satisfaction other wayes.

8. In the seventh article, we desire to know when it is required that persons to be admitted to the Ministrie be of knowne godlines, powerfull and spirituall in their ministrie, if it be intended that certaine marks and characters, whereby judicatories shall be regulated in their judging men godly, powerfull, and spirituall in their ministerie, shall be condescended upon, or if it shall be left arbitrarie for men to judge persons godly, powerfull, and spirituall in their ministry, or not godly and coldrife, literall, natural in their ministry only by the dictate of their owne mynd.

Answers to the Querees propounded by our Brethren

November 13, 1655.

Albeit we doe conceave it to be unseasonable and nowayes conduceable to the desireable end of union first to call upon these things that are propounded upon that word of preface prefixt to our overture, and that, waveing those things, we desire to come to a conference and to have our Brethren's answers upon the articles themselves, yet, for their satisfiaction, so farr as we conceive to be necessarie before coming to the articles, wee answer, 1, That we doe not meane to streatch contraverted matters to all such matters as happily may be contraverted amongst us hereafter. 2, That for what is presently contraverted, the libertie that is reseived thereanent will be in a good measure determined by an accord upon the following articles. 3, That what is further necessarie to be determined thairanent, shall be condescended upon after our Brethren's answer to these articles before their perfecting of an agreement with us. The queree upon the first branch of the 1st article we conceave to be clearly answered by the article itself, becaus it doth not onlie desire that the Acts mentioned therein may be rendered of none effect in order to censure, but also so farr as they doe

import and may be alledged as the publict definitive judgement of this Kirk or of any of the judicatories thereof. The 2^d branch of the article doth not, as we conceive, necessarily infer either their disclaming of these judicatories (whatever may be our judgement as to the Constitution of the Assemblies at Dundee and Edinburgh as no judicatories), or a razing and blotting out of the Registers the things mentioned in that article, but some what to be inserted in the Register of Presbytries, Synods, and of an uncontraverted General Assemblie, that may declare these Acts and declarations and the results thereof, to be of no effect in so far as they doe import and may be alledged as the publict definitive judgement of this Kirk or of anie of the judicatories thereof. Our meaning as to the 3^d thing interrogated upon this article, is that the knowne malignant enemies of the worke and people of God (such as we conceive to have been imployed by the publict resolutions) should not be intrusted or imployed in the defence of the cause of God and of the countrey at any tyme hereafter, to which we doe not desire our brethren who differ from us to engage for any others but for themselves.

In the 2^d article whatever be our judgement and desire, we have laboured to shun that our Brethren should either declare that the two contraverted Assemblies, as to the constitution, are vicious and unlawfull, or that we should acknowledge them to be lawfull; and our meaning is, 1, That no unwarrantable prelimitations should be put upon the election of Commissioners to the Generall Assemblie, which we conceive to have been done in ordour to the Constitution of these Assemblies. 2, That relevant exceptions being tymeously propounded and offered to be verified against any who are chosen Commissioners, the same should be taken in consideration and discussed before they be admitted to sitt as members of the Generall Assembly; and becaus our Brethren may conceave that under this may be imported a resolution in us to debarre all that are of their judgement about the publict resolutions, at least all such of them as had hand in carrying

them on, from being members of any ensuing Generall Assembly, wee do declare that, the former article being granted, we have no such meaning nor purpose.

For satisfaction anent the 3^d article, 1, Wee doe not meane of a Covenant or engagement to be solemnly taken or subscribed by all, but of a declaration or profession of adherence to those things to be recorded in the booke of everie Presbytrie and Synod, and to be subscribed by all the members of the Presbytrie and Synod, which wee conceave to be necessarie in ordour to the mutuall jealousies upon both hands, whereof there may be just ground in not a few, and that we may hereafter know and have mutuall confidence of the rules (next to the word of God) whereby we are to walke and proceed. 2, Wee have, as we conceave, distinctly exprest what articles of our former covenants we do mean of, to wit those that concern the doctrine, worship, government, and dicipline of this Church, and the enemies of trueth, and godliness, and the worke of Reformation. 3, By the literall and genuine sense of these articles we doe mean that which hath been given by the uncontraverted Assemblies of the Church, which no senses that are taken up by particular persons can alter or varie.

To the 1st queree upon the 4th article we give the same answer that we have given to the 1st queree upon the 3^d article. To the 2^d we say that, by requyring censures for the same causes as was formerly, we meane that what former Generall Assemblies did declare and judge censureable, should still be declared and judged censureable, and with the same degrees of censure. As to what follows in that second queree, we conceave it to be no queree upon the meaning of any thing contained in the article. Yet for satisfaction thereanent, wee answer that causes of censure that are not in being, cannot inferr censure upon any, and that we do only desire the rule to be kept for those causes which are or shall be found in being, and whatever other causes are or shall be, that were not formerly, which are more dangerous than some of those formerly as to this present tyme or to future

tymes, wee are verie willing that they shall be censured according to the same rule. To the 3^d queree upon that article we answer, that our meaning is only of the things used to be done and practised, or approuen and authorized by uncontroverted Generall Assemblies.

Ffor answering of the first queree upon the 5th article, we conceave it necessarie to see a perfect copie of all the names of the persons contained in that Commission, and therefore desire that our brethren that are able to furnish us therewith would give us a just extract of the roll of those Commissioners. The 2^d, Our intention therein is that persons justly censured by them should submit to their censures.

The queree upon the 6th article we answer, that wee doe not well understand what our Brethren doe mean by all necessary satisfaction, and thairfore do desire them to explaine it; and in the meanwhile say that all satisfaction in the matter of confession and repentance and as utherwayes is provided in the Acts of uncontraverted Assemblies, being given to the Synod in the *interim*, whilst Generall Assemblies cannot be had, we are not much to contend about the point of receiving such by the Generall Assemblie itself.

To what is moved upon the 7th article, it is not our meaning that it shall be less arbitrary for men to judge persons godly, powerfull, and spirituall in their Ministerie, or not godlie and coldrife, literall or naturall in their Ministry, only by the dictat of their owne mynd, but that they should walke therein according to a knowne and certaine rule which, next unto the word of God, we conceave to be that which is already condescended upon by the uncontraverted Generall Assemblies, such as the Acts of the Assemblies, 96, 38 and 46.

Having now answered our Brethren's querees so farr as is necessary for clearing of our meaning, wee do expect and desire that without further delays by any new querees, they will declare unto us what they cannot agree unto, and what they may and will in justice and conscience yield for obtaining the so much desireable union

according to their promise in the preface of their paper.

Querees from the Protesters upon the Overtures
given by the Brethren for the Assembly upon the
1st Juni last

13th November 1655.

Although we have some doubts about the meaning of our Brethren's overture to us on the first of June last, which wee had put in writting before the first meeting for conference, yet, conceaving that the proposing of the same by written querees might have proved offensive and have retarded or obstructed the end of the conference, we did abstain the giving of these querees in writting. But these doubts about the true meaning of that overture continueing, and now having ground by our Brethren's practice to expect that the propounding of these doubts by writting shall not be offensive to them, wee desire satisfaction concerning these following particulars.

Querees on the whole Overture

Whether this overture doth not suppone or import the standing of the true late contraverted Assemblies in their Constitution, Acts, both as to their authority and execution.

Whether it doth not also importe a passing from our protestations and testimonies, and that we shall not make the like in tyme comeing even upon the like occasion.

Whether this overture doth not allow any more to be done in *hoc turbato et corrupto Ecclesie Statu* than the ordinary way used *integro Ecclesie Statu*, and, if more be intended, what that is. Whether the preface of the overture doth not import that a liberty is reserved by them for making voyd in any future Generall Assemblie any thing that shall be now agreed upon for union amongst us, and, if such a liberty be intended to be reserved, what ground of assurance or confidence shall we have that any thing now agreed upon shall be observed.

On the 1st Article.—1, Whether the submission and acquiescence requyred in this article doth import a submission and acquiescence of every person in all caices, even when the plurality of a Kirk judicatory doth act contrairie to the word of God, and imploy their power to destruction and not to edification. and their determinations do necessarlie inferr present detriment to the Church. 2, Whether by appeales they meane such only as are *post latam sententiam*. 3, Whether they meane, not only of particular persones, but also that a sound Kirk Session or Presbytrie doeing what is lawfull and necessarie and belonging to their ordinary jurisdiction, ought to submitt to the determination of the corrupt plurality of a Synod, and may not *contra* act, especially when there is no Assemblie to determine differences betwixt Presbyteries and Synods. 4, If the meaning of this overture be that, though a Synod shall depose a number of godly Ministers only for matters of difference betwixt us (as there be diverse under process already and some censured) that yet, notwithstanding, they shall submitt to such a censure untill a Generall Assemblie without any hope of other remeady, the liberty of Generall Assemblies being taken away for the present by those that have power over us.

On the 2nd Article.—1, Why the second article doth not mention scandalous and insufficient Elders as well as Ministers, of both which we put no questions, but there are many to be found. 2, Whether it be their meaning that there should be no Commissions for visitation and purging as formerly there have been, and that this should only be done by the ordinary judicatories, or what remeady may be allowed by our Brethren, where both Presbyteries and Synods are negligent of their duety or act contrary to their duety. 3, Whether they intend by this article that any more shall be done in the worke of purging, than hath been these five years past, and if any more be intended, it would be particularlie expressed what ground of hope is given unto us to expect that thair shall be an effectuall remeady. 4, Whether by legall and orderly procedour they meane such as hath been formerly

used in this Kirk and approven by uncontraverted Generall Assemblies, both as to the cause of censure and manner of tryell.

On the 3rd, 4th, and 5th Articles.—Whether the third and fourth and fifth articles doe import the renouncing of appeales already made in these particulars from the sentence of Synods, and submission to Synods pre-determined by their former sentences.

On the 6th Article.—Whether the having more sermons upon the Saturday before Communions and the Monday after, and the employing more Ministers than two thereon, doe import the confusion meant at Communions and be contrary to the Act of Assembly 1645.

On the 7th Article.—1, Whether the two late contraverted Assemblies are included under that expression of superior judicatories. 2, Whether it doth import the nullity of all proceedings of contraverted Presbyteries and the taking away the appeales made by them from Synods in these contraverted caices. 3, Whether it doth importe that the plurality of a Presbytrie must acknowledge the minor part to be the Presbytrie if a Synod shall so determine. 4, Whether a Presbytrie authorized by a preceeding uncontraverted Generall Assemblie, must of necessity be authorized and owned by a present Synod, or may a Synod disowne and disauthorize it. 5, Whether they do not meane by this article to establish all those contraverted Presbyteries that are approven by Synods of their judgement as standing Presbyteries, and to reject all those which are not approven by themselves, as no Presbyteries.

Although we do conceive that our performance of what wee did undertake in our last paper, to declare ingenuously to our Brethren, what we cannot accept, and what we will conccede in their overture proponed unto us, their sense thereof being somewhat cleared by their answers to our querees thereupon, had been sufficient, and the most compendious way for attaining to an happie close of our present conference without putting us to it to give in

any more papers ; yet seeing our Brethren have thought it necessaric for us, besides that, to clear our sense of these overtures offered by us June 1, and that we may not seeme to decline any thing which they conceive necessaric for attaining to a well grounded union and peace in the Kirk, we do give these subsequent answers unto their querees upon the forementioned Overtures.

Answers to the Querees propounded by our Brethren
upon our Overtures of the 1st June

Edinburgh, 16 November 1655.

To the 1st queree on the whole overture, we answer, The overture doth suppose the standing of the two late Assemblies in their Constitution and Acts, as to their authority, but not as to their execution upon our Brethren, ffor, as is expressed in the 1st Article of our overtures which are now offered unto our Brethren, wee are for peace's cause not to urge upon them the acknowledgement of the authority of those Assemblies nor of their acts as the definitive sentence of this Kirk. To the 2^d we answer, Though we doe judge that our Brethren ought in conscience to pass from their protestations, yet this overture doeth not necessarily infer that they must pass from them, providing they doe declare that their declamations and protestations against the said Assemblies, their resolutions and acts thereunto relating, shall not hereafter be made use of in any judicatorie of this Kirk for continueing or rendering our present differences, as appeareth from the 1st article of our present overtures. To the 3^d wee answer, Though we doe not acknowledge that this is *Ecclesie Status corruptus*, yet we allow more to be done in *hoc turbato Ecclesie Statu* than the ordinary way used in *pacato Ecclesie Statu* ; and what that more is wee have made offer of it in the 1st, 4th, and 7th articles of our present overtures, wishing heartily that our Brethren would but offer as much on their partes.

To the queree on the preface we answer, It doeth not import that a liberty is reserved by us for making voyd

in any future Generall Assembly any thing that shall be now agreed upon for union amongst us, as is more expressly provided for in the 1st article of our present overtures.

To the querees on the 1st article in generall, wee answer, Our meaning in that article is as it is explained more fully in the 8th article of our present overtures, that there may be such due subordination of judicatories, and such submission unto the sentences of judicatories, as hath been established by the Generall Assemblies of this Kirk, especially by the Assemblie 1648, Session 30, and according to the practice of the Generall Assemblie 1646 in the case of Mr. James Moresone and the Presbyterie of Kirkwall, and the constant practise of all judicatories and members of this Kirk ever since the late Reformation untill the present differences did arise, without which subordination wee doe not see how unity and order can be continued in the Kirk.

To the 2^d queree upon this article, wee meane appeales which are to be made not only *post sententiam* but also *ante*, providing they be not declinatures of the judicatorie as null and destitute of authoritie. To the 3^d wee meane that, seeing Religion is reformed amongst us in doctrine, worship, discipline, and government, not only persons but inferior judicatories should submitt to the superior without contra-acting, and that so much the more, when there is not a Generall Assemblie to cure the schisme arising from the denyall of the desired subordination, which we conceive will have more dangerous effects in the Kirk nor the submission required. 2. As for those groundless suppositiones in the 1st and 3^d querees, We answer, 1, Our confidence is, that shall not fall out in this Kirk, we being unite in one confession of faith, forme of worship, discipline, and Government. And 2, That it is contrarie to prudence and inconsistent with any well ordered government, upon the supposing of a case which can but rarely, and, we hope through God's Grace, shall never fall out in this Kirk, to enervat a generall rule and make an oppen door for schismes, contrarie

actings in subordinat judicatories, and divisiones upon divisiones in a Kirk upon everie occasion. 3. Wee are content that our Brethren out any salvo for the supposed cases, which may not take away that subordination which hath been in this Kirk without controversy for so many yeers together, nor upon everie occasion open a door to schismes and divided actings in judicatories which will presently destroy the peace of this Kirk.

To the 4th queree on this article wee answer, As we know none under process, nor yet sentenced since the Assemblie at Dundie, only for matters of difference betwixt us, so seeing, we doe declare, as appeareth from the 4th article of our present overtures, that we shall not censure one another for matters of our bypast differences. The article doth not import if a Synod should depose a number of godly ministers, only for matters of our bypast differences, that they should submitt to such a censure.

To the 1st queree on the 2^d article wee answer that wee sall willingly goe alongst in purgeing the Kirk from scandalous and insufficient Elders, as we have undertaken in the 4th article of our present overtures. To the 2^d wee answer, 1, Wee intend that there should be Commissions and Visitations appointed by the ordinary judicatories as formerly, when they sall see necessity or conveyency, as we have asserted in the 4th article of our present overtures. 2, As wee doe not willingly suppose that both Presbyteries and Synods will be negligent of their duetie, so in this interruption of Generall Assemblies if such a thing should fall out, which God forbid, wee know no other remedie but that Ministers of diverse Synods shall stirre up one another whether occasionally when they meet, or at sett meetings for that purpose as brethren after our union shall judge convenient, or agree upon amongst themselves, and that Synods stirre up each other by their mutuall correspondents. To the 3^d queree on this article, though we be not conscieus to ourselves of any sinful neglect in the worke of purgeing these yeeres bypast, yet we judge, if we were unite, more might be done in it for tyme to come ; and what ground

of hope there is to expect from us that more shall be done, is expressed in the 4th article of our present overtures.

To the 4th queree on this article wee answer, that our procedure in the work of purging both for forme of processe and causes of censure shall be according to the Acts of these Generall Assemblies which did preceed our present differences, as in the 4th article of our present overtures.

To the queree upon the 3^d, 4th, and 5th articles wee answer, As the overture importeth Synods must, notwithstanding of their former determinations, determine of new in those particulars, so it importeth renouncing appeales already made in these particulars, that so they may be taken to new consideration ; but so that if, after the new determinations, anie parrtie or parties be greived with it, they may have liberty to appeale from it as is provided in the 8th article of our present overtures. 2, Wee know no other Synods which can determine in these particulars but the Synod of the bounds. But 3, Wee concede that there be a committee of arbiters to compose these differences in the particualars in the 3^d and 4th articles, amicable and antecedently to the Synod's new determination in them as appeares from the 7th article of our present overtures.

To the queree in the 6th article wee answer, The employing of more Ministers than two in the case mentioned in the queree is contrarie to the express words of the Act of the Assemblie 1645. As to the querees on the 7th article, though we conceive if so we unit in other things, there will not be great necessitie to urge this article particularly here, seeing it is included in the overtures presently offered to our Brethren, yet for their satisfaction we give those answers to the querees upon it, and to the 1st, Though we hold the two late Assemblies to be among the superior judicatories of this Kirk, yet we mean not those Assemblies by the superior judicatories in this article. To the 2^d, Some amicable and satisfactory way wee doubt not may be thought upon by the fore-mentioned arbiters, how the bypast Acts of contraverted

Presbyteries ought to be esteemed of. To the 3^d, Wee judge the Synod will not so determine, except the plurality shall refuse to joyne with the rest, or to suffer the rest to joyne with them, in which case our meaning is that both are to joyne together and acknowledge both parties so joyned to be the Presbyterie. To the 4th we answered, Presbyteries authorized by these Assemblies which did precede our differences, need not to be authorized of new, and cannot be disowned and disauthorized by a Synod. To the 5th, Wee meane by this article that both parts of Presbyteries shall joyne together, and be allowed as the standing Presbytrie, and that the partie who refuseth to joyne shall be disowned.

Overtures by the Brethren for the Assemblies to their
dissenting Brethren

November 16, 1655.

Having received our Brethren's answers to the querees which we proponed for getting cleering in some things of their overture that were dark and dubious to our apprehension, conceiving it to be verie seasonable and conduicible for furthering and facilitateing the worke we are about towards the obtaining of the desireable union, first of all to have a right understanding of our Brethren's meaning, and intention in their overtures, and all occasions of mistake thereanent removed, albeit all and everie particular in the querees be not sufficiently cleered by the answers given thereunto, yet being altogether unwilling that there should be any delay in the main busines, without propounding of any new querees for answer to the matter of their overture and for representing some other things which we conceive necessarie for an happy union, we declare our mynd as follows—

1. As to censures already inflicted or pronounced upon anie of our Brethren who declined and protested against the Generall Assemblies of S^t Andrews and Dundie, albeit these censures were upon mature deliberation and just

reasons, as we conceive, pronounced by the Generall Assembly as the most probable meanes, in their apprehension, to prevent the growing divisions which were then begun, yet seeing they have not attained the end intended by them, but stand now as a barr in the way of our union, wee doe as private Brethren judge that, were there a Generall Assemblie sitting, these censures for the peace of the Kirk ought and should be taken off, and resolve for ourselves, if the Lord should give us a Generall Assemblie, to endeavour, to the outmost of our power, to have them taken off by an Act of the Assemblie. And because we are uncertaine when we shall have a Generall Assemblie, wee doe offer to interpose and labour with the Provinciaall Synods whairof these censured brethren are members, that in this interruption of Generall Assemblies they will take upon them for peace sake to doe that which we conceive that a Generall Assembly, if it might meet, should and would doe, to the end that we may walk with these our Brethren as Ministers of the Gospell and joyne with them in manageing all the affairs of the Kirk as formerly. And as to the Acts ordaining others to be proccessed who have not accepted the late Assemblie at Edinburgh's Overtures for peace, as also all other Acts of this kinde relateing to Elders and Expectants who doe adhere unto the protestations and declinatures, wee doe, in order to peace, offer, for the *interim* and untill there shall be a Generall Assemblie, to cease altogether from putting any of these Acts in execution, and so soon as God shall give us a Generall Assemblie to endeavour to the utmost of our power the abrogation of them. And as we shall not urge upon them the acknowledgement of the lawfulness of the constitution of these two late Assemblies, nor the acknowledgement of the resolutions and Acts thereunto relateing of the said Assemblies as the definitive sentence of this Kirk or the judicatories thereof (albeit we ourselves doe judge and hold them so to be), so we doe require that they upon their part doe declare their declinatures and protestations against the said Assemblies, their resolutions and Acts thereunto

relateing, shall not hereafter be made use of in any judicatory of this Kirk for continuëing or renewing debates about the matters of our present differences, and that they shall not debarr any persons, otherwayes qualified according to the rules of the word of God and constitutions of this Kirk, from any Kirk privilege, office, or employment, upon the accompt of any matters of our late differences. Lykeas we doe on our part declare that wee shall debarr none qualified as is aforesaid, upon the account of anie matters of the said differences.

2. Albeit we doe judge that no unwarrantable prelimitations were put upon the election of Commissioners to these two late Generall Assemblies, yet we doe declare it to be our mynd that in tyme comeing no unwarrantable prelimitations be put upon the election of Commissioners to any ensuing Generall Assemblies, that whatsoever relevant exceptions shall be proponed and offered to be verified against any that shall be chosen Commissioners, should be taken into consideration and discussed according to the established order and constant practise of the Kirk, it being here always understood and expressly provided that none of the particulars of our late differences be alledged on either part against the sitting of persons as Commissioners in ensuing Generall Assemblies.

3. As we acknowledge ourselves to be standing bound by our solemn vows to adherence unto and constancie in the doctrine, worship, government, and dicipline of this Kirk, and dueties relateing to enemies of trueth, and godlines, and of the worke of Reformation, and everie other duetie contained in our Covenants and in the solemn confession of sinnes and engagement to dueties and acts of former assemblies relating thereunto, so we doe declare, seeing it is by our Brethren required as an article of union, that it is our purpose in the strength of the Lord's Grace, in our station and calling to adhere constantly unto the same. And albeit we judge it not necessarie nor expedient to make any new engagement or covenant to be solemnly taken or subseriued for these matters, yet we doe agree, and are content, that all of us

on either part in our severall respective Presbyteries shall declare to one another this our purpose and resolution, and that, if it shall be thought fitt, a note hereof be made in the Presbyterie books.

4. As we know no ground why our Brethren should judge our edge blunted or our zeal cooled as to that necessary worke of purging the Kirk from insufficient or scandalous Ministers and Elders, yet, if haply any prejudice of this kinde hath been taken up by them concerning us, for removcall thereof, and because we doubt not but thair are in this Kirk insufficient and scandalous Ministers and Elders, we find ourselves (for giving satisfaction unto our brethren in this) bound in conscience to declare, and we doe by these presents declare, that we resolve to give as little shelter or countenance unto unsufficient or scandalous men in these functions, as ever we did in former times, and that we pourpose, and shall by the Lord's Grace, as we would be found faithfull to Him who hath placed us in the Ministerie, to concurre with our Brethren (if they shall unite with us, or if it shall be otherwayes, which God of His Grace forbid, to put forth ourselves) in that most necessary worke of purging the Kirk, what by bestirring ourselves in Presbyteries and Synods whairof we are members, what by stirring up others whom we shall perceive to be negligent, and what by strengthening the hands of those who shall make conscience of that worke, and that our procedure therein both for the forme of process and the causes of censures shall be according to the Acts of Generall Assemblies which preceeded our late differences, and that we shall endeavour to the outmost of our power that the worke of purging shall be effectually and with all diligence gone about by the respective judicatories and Committees to be by them appointed, which shall be constitute of persons most judicious and of knowne integrity, godlines, and zeal for the worke of Reformation, chosen impartially and without any by respect to their judgement about matters of our present differences, requiring and expecting that our Brethren for their part will endeavour the

like impartiality. And because our Brethren, by occasion of bypast, may possibly have taken up jealousies of us that, after our union, where we are the plurality in judicatories, we may be inclined to carie things in this mater or anie other matter of government to their prejudice, we are most ready to accord anie thing which may serve for the removall of this jealousie, if any such be, and shall not make the descipline and government of this Kirk to run out of the usuall channell, or inferr a sinfull separation by cutting off a number of Ministers from being members of judicatories, antiecedently to their triall and censure, or a condescending on our part to have the Kirk governed by such Commissions or committees, the power whereof we conceive to be long since expired, and our submitting to which would necessarily inferr an alteration and renouncing of our judgement concerning the authority of the two late Generall Assemblies. And for the time we know no other thing whereby such jealousies may be removed on either hand. But supponing that thair are many of us whom our Brethren, as they have formerly found, so doe yet esteem men faithfull (of which sort there are manie others of our judgement although, may be, not so knowne to them by experience and acquaintance) who will neither ourselves nor so farr as in us lyeth, suffer anie other who have hitherto joyned with us to doe any thing from displeasure or partiality in relation to any differences that have been among us, we doe declare, as hereby for our part we doe declare, expecting that our Brethren will doe the like for their part, 1, That we shall not challenge nor censure one another for anie thing that hath been contraverted among us, and that we endeavour in all our judicial actings to abstract from everie thing of that sort or respect to them, mynding that which is our maine worke more and other things less. 2, That Presbyteries and Synods carie all things with that gravity and sobriety, that meekness, patience, and forbearance which becometh the judicatories of Jesus Christ, and as may give evidence that with truth they tender their owne and the Kirk's peace in its owne rounge,

and the due satisfaction of all the respective members, so farr as is possible, and is essencially requisite in these times for the better consolidating our mynds and affections, and that everie Minister and Elder carie themselves with the like gravity and sobriety, keeping due reverence in all their debates to their Brethren and judicatories, as seeking without unnessar wranglings justice and truth, with the exoneration of their owne consciences, and not debate and strife. 3, That such brotherly wayes be used amongst Ministers as may in processe of time begett more mutuall confidence, as freedome in admonition and brotherly reproof, frequent conversing one with another and conversing as Ministers of the Gospell, attending the week-daye's sermons one of another, when it may be done commodiously, and using brotherly freedom in what they shall find inlaiking in the matter or manner of their preaching. 4, In order to the same end we further agree that, as in ordinary cases the tryell and purging of insuffieient and scandalous Ministers and Elders shall be managed by the respective Presbyteries with reservation of the established power of oversight and recognition of their proceedings by Synods, so that in this interruption of Generall Assemblies, in case the generality of a Presbyterie be by the Synod either judged weake and unfitt for the work, or probably presumed guilty of an offense worthy of censure, and so not to be trusted with the worke, that in such cases the Synod shall appoint Synodicall visitations to be constitute of persons so qualified, and with such impartiality as is above mentioned, for tryall and censure of Ministers and Elders in such Presbyteries.

5. As we cannot take upon us either to justify or condemn the deeds of Synods or Presbyteries which have readmitted unto functions, or opened the mouths of any Ministers, Expectants, or Schoolmasters who were deposed, or silenced, or removed from their charges by Generall Assemblies or Synods, or their Commissioners, or Presbyteries before these differences, untill these Synods and Presbyteries which have readmitted them or opened their

mouthes be heard, so we doe judge and think it just and necessarie that their deeds in these maters be tryed and judged by their competent superior judicatones. And because there is not appearance that we can shortly have a Generall Assembly wherein the proceedings of Synods in these matters might be tryed and judged authoritatively, we are content that for the *interim* there be a meeting of correspondents from some neighbouring provinces, being judicious and unquestionably faithfull men, to whom these Synods respectively shall give an account of the grounds and maner of their proceedings in these matters, and who shall, if they find any thing therein done amisse by them, labour with them to rectifie it. And we do likewise agree that no Ministers, Expectants, or Schoolmasters who have been censured as is aforesaid, shall hencefurth have accesse to the Ministerie, or to preach the Gospell, or to teach in Schools granted to them by any Synod or Presbyterie, but upon satisfaction for their offenses given by them conforme to the acts of former Generall Assemblies made for such cases ; and whensoever anie Presbyterie or Synod are to goe about the readmission or the opening the mouth of anie person so censured that they shall call for more then ordinary correspondents from their neighbouring Presbyteries and Synods respective, for giving their advice in and being witnesses to their proceedings in the matter. And it is our judgement that the Synods and Presbyteries should take notice in their respective bounds, if anie Ministers, Expectants, or Schoolmasters, censured as is aforesaid, have intruded themselves, and that they should impartially censure such persons, and use all necessarie and lawful meanes competent to them, to get them removed and their mouthes stoped.

6. As to the planting of vacant Kirks, wee judge it necessarie that Presbyteries and Synods respective proceed therein both as to the election and as to the triall and admission of persons to the Ministry according to the established order of the Kirk prescribed in the Book of Discipline, Acts of Generall Assemblies preceeding our

late differences, and particularly the Act of the Generall Assembly 1649, intituled a Directorie for Election of Ministers, which being carefully observed, no persons that have no just right, or are not in a due capacity, will have anie suffrage in the nomination of persons to be Ministers in any congregation.

7. And for Ministers already placed, whose calling or gifts are questioned, or two contrarie plantations in one Congregation, that it be accorded and agreed upon, 1, That divyded Synods and divided Presbyteries, whose divisions have occasioned such plantations, doe presently unite. 2, That before the respective Synods or Presbyteries cognose upon these admissions, there be presently a Committee of Arbiters condescended upon, of knowne judicious, Godly, and faithfull men of both judgements, who shall endeavour to compose all differences of this kinde amicably and to the satisfaction of all parties interested, betwixt and the next meeting of the Provincial Synods in April and May. 3, In case these arbiters shall not attaine to the amicable composing of these differences betwixt and the foresaid diet, that then the Synod in whose bounds those admissions and plantations are, shall try and judge the call and gifts of the persons so admitted or appoint comittees of men so qualified and chosen, as is aforesaid, for tryeing and judgeing thereof according to the order of the Kirk and Acts of Generall Assemblies preceeding our late differences.

8. Seeing wee have reason to bless the Lord that we have now religion in doctrine, worship, discipline, and government established in this Kirk according to the word of God, therefore, to the end it may appeare that the jurisdiction of this Kirk and the subordination of the judicatories thereof is owned and acknowledged by all, let it be declared and agreed that all Ministers and professors shall submitt themselves to the sentences of the severall judicatories, and if anie be greived by the sentences of inferior judicatories, they may appeale to the respective superior judicatories, yet so as in the mean tyme the sentences appealed from be submitted unto

untill the determination of their superior judicatories thairanent, according to the Acts of Generall Assemblies, particularly the Act of the Assembly 1648, Session 30, and to the practise of the Generall Assembly 1646, Session 5, in the matter betwixt the Presbyterie of Kirkwall and Mr. James Morreson, and to constant uncontraverted practise of the severall judicatories of this Kirk since our late Reformation continuallie untill these differences did arise.

9. Whensoever it sall please the Lord of His mercie in the dispensation of His Providence to grant us liberty to have a Generall Assemblie, wee thinke that none should have power or warrand to prescribe to Presbyteries any rules for electing Commissioners (it being sufficient that it be accorded that no unwarrantable [preliminations ?] shall be put upon the election of Commissioners), much lesse to prescribe what matters shall be handled in the Assembly or what maner it shall observe in its procedure. But as to the way of indicting the dyet of an Assembly, wee doubt not but if we unite in other things, we shall easily accord about that.

A Paper given upon the 19th November by the
Protesters concerning their sense upon the pre-
ceding Overtures which (as was informed) all of
them did not own

November 19, 1655.

Albeit our Brethren have (to our apprehension) in their answer yeilded but verie little upon the matter of our desires, and that many of the most and important and materiall things contained in our overture are hithertills refused, yet being ready and desireous to conferr upon the whole that wee may help ourselves and them to a more distinct retaining and understanding of things, wee shall at once propound what we conceive to be denied or granted by our Brethren, and what we desire to be further explained and what are our thoughts upon these other things which they conceive necessarie for an happie union.

1. The 1st article of our overture is in effect wholly denied, becaus it is not yeilded that any of the acts or declarations and warnings mentioned therein shall be rendered of none effect, as they doe import or may be alledged as the definitive judgement of this Kirk or of any of the judicatories thereof, neither is it yeilded that they shall not be reacted in any tyme hereafter. Bot there is so much holden forth in our Brethren's paper as imports to their standing in force as the definitive judgement of this Kirk and of the judicatories thereof; and since they doe not condescend not to alledge them in that sense nor to react them, wee cannot bot think but they do resolve upon occasion to do at least it cleerly imports a resolving of liberty for them so to doe.

2. As to censures past or supposed already to be inflicted, 1, Wee conceive our Brethren's concession to be too narrow when they doe confyne them to the censured Brethren who declyned and protested against the Generall Assemblies at St Andrews and Dundie, becaus severall others besides these have been censured upon the account of the publiet differences. 2, Wee thinke that the taking off of these censures especially in such a way and upon such narratives as is contained in our Brethren's paper, would indeed be the establishing of them, becaus it doth not only import that they were justified by a lawfull authority who had power so to doe, but also that they were deliberately and justly inflicted, and are now taken off only upon the account of these Brethren's turbulency, and for obtaining of union and peace; and, therefore, howbeit these censures were rashly and unjustly, as we conceive, pronounced and in effect no censures at all, as flowing from no lawfull authority of this Kirk, yet for removeing of the prejudices that many of the people throughout the country and in severall other congregations have taken up against our Brethren because of these supposed censures, and for taking away of the unjust barres that are putt in their way to keep them from appearing in their ducty in severall Presbyteries and Synods, wee are content and conceive it fitt that these

our Brethren, with all other Ministers and Elders who have been censured upon the account of the public differences, should, notwithstanding of any thing done or declared against them upon that account, be declared standing Ministers of the Gospell and Elders of this Church, without mentioning any ground or narrative that may hold forth the equity of the sentence or reflecting upon them.

3. There is no thing at all spoken to the Acts of the contraverted Assemblies at St Andrews and Dundie, which appoints censures against all the members of this Kirk who do not acknowledge the Constitution and submit to the Acts thereof.

4. There is nothing at all spoken of the taking off of these censures which were putt upon all these of our judgement by the declarations and warnings and informations of the Commission of the Generall Assembly in the year 1651, in which the characters of malignants and disaffected persons are applyed unto them, and they holden forth to be the obstructers of the worke of Reformation and of the defence of the Countrey.

5. Whatever is yeilded by our Brethren in order to censures, is meerly upon the account of peace which sayeth to us that, whensoever the censuring of these things can be win at with troubling the externall peace of the Church, they will conceive themselves bund in justice and in conscience to declare censureable, and actually to censure, the same as formerly.

6. Whilst our Brethren say that they will not urge upon us the acknowledgement of the resolutions and Acts thereunto relating as the definitive sentence of this Kirk, they mention only the resolutions and Acts of the contraverted Assemblies, but not the resolutions and Acts of the Commission of the Generall Assemblie 1650.

7. We desire to know whether that part of their paper which doeth require us to declare that our declinators and protestations against the two contraverted Assemblies, shall not hereafter be made use of in any of the judicatories of this Kirk for continueing or renewing of debates

about matters of our present differences, doeth not import a passing from these protestations and declinatures as to what is past, and whether it doeth not exclude all of our judgement from offering at any tyme hereafter unto the Generall Assemblie or any of the judicatories of this Kirk in a sober way the reasons of our judgement from the word of God and Covenants against the publict resolutions and results thereof, and from desireing them to take the same in consideration so farr as concerns the sin and duety thereof.

3. Whether it doeth not exclude them from making anie such protestation upon any such occasion for the tyme to come. Next wee desire to know whether they doe not mean to urge upon the body of this Church (though not upon us) the acknowledgement of the lawfulness of the Constitution of the two late Assemblies, and of the publict resolutions and Acts thereunto relating. Lastly wee desire to know whether they will upon their part declare that these resolutions or any of the Acts thereunto relating, shall thereafter be made use of in any publict judicatories of this Kirk.

There is little or nothing yeilded upon the second article of our overtures, because the condition which we did require in the explanation thereof, to witt the granting of the first article, is not yeilded unto. 2, Becaus those prelimitations which were putt upon the Assemblies at St Andrews and Dundie, are asserted by our Brethren to be lawfull, and therefore, though there be some provisions made that Brethren of our judgement shall not be excluded from being elected Commissioners upon the account of the publict differences, yet this latitude is still left unto persons that may exclude them upon other accounts of the same nature.

Anent our Brethren's answer to the 3^d article of our overtures, wee desire to know whether under the Acts of former Assemblies they did not also include the Acts of the contraverted Assemblies at St Andrews, and Dundie, and Edinburgh, which, if they be included, doeth quyte overturne much of the scope that we had before as in

that article, to witt, the securcing of the work of God for the tyme to come, and doeth upon their part declare a standing obligation upon them to adhere constantly unto these Acts and the ducties which they conceive to be contained therein. 2, Wee desire to know why they seeme to hint a difference betwixt the articles of the Covenant and of the Solemn Engagements, and of the ducties contained therein, or if they doe think that there is any thing contained in any of these that is not duety.

4. In so farr as our Brethren doe declare their purpose and resolution to proceed effectually in the worke of purging the Kirk, wee doe verie cordially intertain and accept thereof, as also of those things that are spoken by them for begetting of mutuall confidence for the tyme to come. But we cannot but represent unto them that little or no satisffection is given us upon the matter of our desires for making the worke of purging effectually, becaus neither of the partes of our alternative proposition concerning Commisions and Visitations for that end are yeilded, bot the bussines is wholly left upon Presbyteries and Synods, to proceed either by themselves, or to appoint Commissions and Visitations, when they shall see it necessary and convenient, which is a way altogether hopeles and unsatisfactorie to us, ffirst, becaus our Brethren do assert (and we conceive all of their judgement to be of the same mynd) that their edge is not blunted nor their zeale cooled as to that necessarie worke of purging the Kirk from unsuffieient and scandalous Ministers and Elders, and that they are not conscious to themselves of any sinful neglect of purging these yeeres past. And seeing that zeale hath not putt forth herself these five yerres past in any parte of that worke, there can be no great ground of expecting greater things there fra, for the tyme to come. 2, These of our Brethren's judgement have these yerres past putt forth and are still putting forth a great deale of forwardnes and zeale for bringing in of these who were formerly purged out, and have already brought in most part of them in the several parts of the Country. 3, These of our Brethren's judgement

do in many Presbyteries and Synods turne the edge of their zeale, not against insufficient and scandalous Ministers and Elders, but against men of our judgement and against many of the godly in severall parts of the land. These things being joyned with other corruptions that are to be found in the plurality of Presbyteries and Synods, wee can hardly at this tyme expect from them, in the way that is propounded by our Brethren, any thing considerable to be done in the purging out of unsufficient and scandalous Ministers and Elders. And for the way that is propounded by us, as wee doe not see how it doeth inferr a sinfull separation or a condescending to such Commissions or Committees whose power is long since expired, or which would necessarily inferr ane alteration and renouncing of our Brethren's judgement, so neither do we see how it doeth make the discipline and government of this Kirk to runn out of the usuall channell, further than may consist with the preservation of the Government itself, or further than is necessarie for the edification of the Church for which the Government is appointed of God. Our Brethren will not, as we suppose, thinke that Synods bringing in of those who were formerly purged out and who are appointed to be brought in by the Generall Assemblie only, is a making of the Government runn out of its ordinarie channell, since the thing is still dispensed by the judicatories of the Kirk. Why then should Commissions and Visitations, the way propounded by us, who is still to have their power from the judicatories of the Kirk, be thought so strange a thing, it being in order to a worke that is much more necessarie for the good and edification of the Church, than the bringing in of these men.

Our 6th proposition is denied as to the first part of it, without which the yeelding of the last part of it is little worth, because most of the men who were formerly purged out, have already gotten their mouthes opened by Synods and Presbyteries in the severall parts of the countrey.

Upon our Brethren's answer to our 7th proposition we observe this inconvenience that by the publiet resolutions and results thereof many considerable persons in

Congregations who were before these resolutions excluded from having hand in the election of Ministers, are by the resolutions and results thereof (without due satisfaction given) brought in to have hand in the same, many of which, being but what they were before, doe study to carie the elections in a wrong way, for which we desire a remedie to be provided against the greevances of the godly and the detriment of the Gospell. Next upon their answer to this article wee desire to know why they doe not condescend to these particuler Acts of uncontroverted Generall Assemblies cited by us in our answer to their querees concerning the qualification of intrants into the Ministerie.

As to what is contained in the 7th and 8th articles of their answer concerning submission unto the sentences of Presbytries and Synods in all cases whatsoever, without any limitation or qualification of their sentences, as we doe not willingly desire to enter in upon debate anent this matter, conceiving it to be inexpedient to start and debate such questions at this tyme as to make anie declaration thereanent, so doe we conceive that it hath not hithertills been required, nor cannot warrantably be yeelded in such a way as is now required, especially at this tyme when there is to our sense and apprehension so much corruption in the plurality of Presbytries and Synods, upon which though we be loath to enter, least we should provock or offend our Brethren, yet are wee willing and readie to give the evidences thereof. And wee desire to know of themselves whether upon supposall of the plurality of the governors of the Church are abusing the government unto the detriment of the Gospell, and unto the vexing and greiving of the godly, and hindering of edification, which to us, if we may speake it without offence, is manifest in the present case, such a submission should be required and ought to be granted.

As to what is spoken concerning Arbiters, it amounts to nothing upon the matter, becaus the judicall and finall sentence is still left in the hand of the Synod, and it is probably to be supposed that the one partie in whose

favour the Synod hath already determined will yeeld, since they know beforehand that the worse that can befall them is to have the Synod to renew their judgement again in the bussines.

The last article of our overture is wholly denyed except in so far as some hint is given about some condescension concerning the dyet of the Assembly.

Answer to Paper from some of our dissenting Brethren
which was given to us upon the 19th instant

November 21, 1655.

As to the first article of our Brethren's overture upon the matter of the censures, it is granted that all censures inflicted or pronounced upon anie of our Brethren who protested against the Generall Assemblies of S^t Andrews and Dundie, shall be taken off in the most reall way that we could thinke upon ; and as to Acts ordaining others to be processsed, who have not accepted the late Assemblie at Edinburgh's overture of peace and all other Acts of this kynd relateing to Elders and Expectants who doe adhere to the protestations and declinators, that untill there be a Generall Assemblie we sall altogether cease from putting them in execution, and that so soone as God shall grant us a Generall Assemblie, wee shall endeavour to the outmost of our power the abrogation of them.

And now for further cleering of our intention in this concession, and for removeing or satisfieing such doubts or exceptions as are brought against the said concession, wee declare as followeth, 1, That we intend and purpose that all Acts of either of these two late Generall Assemblies against any members of this Kirk for declining of and protesting against the said Assemblies, shall be abrogate in order to peace as is mentioned in our overture ; and for the same end that all declarations, warnings, and Acts of any judicatorie resulting upon the publiet resolutions, be rendered of none effect as to censure. 2, In the narrative premitted to our concession concerning the

taking off of these censures, we have not charged upon our Brethren turbulence, but only signified that the consideration of these censures, standing now as a barr in the way of our union, is the ground of our judging that they ought and should be taken off. And what we say in the said narrative concerning the procedure of the Assemblie at Dundie in inflicting or pronouncing these censures, is for a salvo of our owne judgement, that we might not by our following concession be interpreted to renounce the authority or condemne the procedures of that Assemblie. And as for the way of performing the afftaking of these censures, wee are content it be done in such a way which, as on the one hand shall not import or bind upon our Brethren or any who are of their judgement an acknowledgement of that Assemblie or the procedures thereof in that matter, so on the other hand shall not import the renouncing or condemning the authority or proceedings of the said Assemblies, or of our owne judgement concerning these things. Or if it shall seeme necessarie to anie Synod, in taking off these censures, to premitt a narrative expressing their acknowledgement and holding of the authority and lawfulness of that Assembly and the procedures thereof in these censures, wee declare that it shall not be accounted any violation of this agreement that our Brethren doe the like as to their judgement, in declaring their purpose not to make use of their protestations and declinators as is required in our overture.

3, As we know no censures inflicted or pronounced against anie but upon the account of the declinator and protestation, so, if there be anie censures inflicted or pronounced against anie upon the account of any matter of our late differences, wee declare it is our intention that our concession be extended unto all such censures without exception.

4, Wee wonder exceeding much that, because we say that for peace sake these censures aught and should be taken off, wee should be so interpreted as if thereby we did say also that whensoever the censuring of these things may be win at without the troubling of the peace of the Kirk, wee will conceive ourselves bound in

justice and conscience to censure, and will actually ensure, the same againe. We are confident that upon second thoughts those who make this exception, will see there is no reule of consequence to warrand such an interpretation and inference upon our words. May not one say now that for peace sake he will doe such a thing, and yet nowayes import thereby that he will doe the contrare whensoever afterward thereas on that moves him now so to doe is taken away? Yea verily. And we doe sincerely declare unto our Brethren that we doe now for peace sake so accord to take off these censures, as that we pourpose never to revive them againe upon any advantage whatsoever.

2. As to that which our Brethren require in their first article, that the Acts concerning the publick resolutions, declarations, etc., mentioned therein, be rendered of none effect, as they doe import or may be alledged as the definitive judgement of this Kirk or the judicatories thereof, and that they be not reacted in any tyme coming, —as we cannot declare these Acts and declarations not to be the definitive judgement of the judicatories of this Kirk (this not being in our power to doe), nor can we renounce our owne judgement and estimation of them as such, nor can we bind up ourselves so as to ingage that in no possible occasion hereafter we sall give anie such resolution, if we should be required upon the mater, so we have declared that we shall not urge upon them or anie of their judgement the acknowledgement of these resolutions, declarations, etc., as the definitive judgement of this Kirk or the judicatories thereof, meaning hereby also that we shall not alledge nor make use of these resolutions, declarations, etc., at anie time hereafter to anie effect against them as the definitive judgement of this Kirk or the judicatories thereof, and comprehending herein also the resolutions and Acts of the Commission 1650. This is all we could doe in this matter unless we would have crossed the light of our conscience and renounced our owne judgements; and this we conceive may and ought to be satisfactorie to our Brethren.

3. As to the querees proponed upon our desire anent our brethren's not making use of their protestations and declinators: for the 1st, Our words are verie clear and plaine that we requyre simplic that these declinators and protestations be not made use of for contineuing or renewing debates about the matters of our present differences, which doth not import a passing from them as testimonies of their judgement concerning the maters declined and protested against. To the 2^d, as we conceive no sufficient reasons can be brought from the Word of God or the Covenants against the publick resolutions, so whatever reasons our Brethren conceive they can alledge against them, to offer these hereafter to a Generall Assemblie to be considered thereby, could not but in the verie nature of the thing tend to the renewing of debates about the matters of our present differences, which it better should be buried in oblivion by shunning all occasions of reviveing them; and therefore we desire that what is proponed in the queree, be forborne. To the 3^d, that which we require relates only to the bypast declinators and protestations, abstracting altogether from what may be done or not done by any upon new emergent occasion that may possibly fall out hereafter. To the 4th, seeing the body of this Kirk maks no question of the authority of these two late Assemblies, nor of the publict resolutions and Acts thereunto relateing therefore, we thinke this queree needless. To the 5th, answer is given before, which we conceive may be sufficient.

4. To what is expected against our concession relateing to the 2^d article of our Brethren's overtures, 1, As much is yeilded by us as we could in conscience and with saving of our judgement anent the matters of our differences, and as we conceive may be satisfactorie to our Brethren. 2, As to the alledged unwarrantable prelimitations put upon the election of Commissioners to the two late Generall Assemblies, as what we said concerning these alledged prelimitations was for a salvo of our owne judgements, so we conceive our following concession to the matter

of that article of our Brethren's overture being so universall as it is, to witt, exeludeing all unwarrantable prelimitations, ought to be satisfactory in order to peace. And we are not conscious to ourselves of any thing which may be a ground to our Brethren of jealousie that we shall study to exelude them from being members of Assemblies hereafter. Nor know we if supposing of possible occasions, which yet have no likelyhood, and with all cannot be well instructed to have been made use of heretofore for that effect, be a warrantable principle for them that are seeking peace in the Kirk (as we judge our Brethren are doeing) to proceed upon.

5. Concerning the querees proponed upon our answer to our brethren's third article of their overture. To the 1st, By former Assemblies wee understand the same thing, for matter, which they in their article did meane by uncontraverted Assemblies and choosed that terme, that we might not seeme to homologate their judgement concerning the Assemblies at Dundie and Edinburgh. To the 2^d, If the Brethren who made this queree will look again aright unto the article of our overture, wee doubt not but they may see there is no occasion given in it of making such a queree.

6. As to what hath been exprest by some of our Brethren in relation to our overtures and concessions about the worke of purging the Kirk from unsufficient or scandalous Ministers and Elders, being glad that any thing proponed thereanent by us is accepted and entertained by them, and passing by all reflections which they had at the profession of our edge and zeal as to that necessarie work of purging the Kirk (which we must yet professe we know no ground why they should judge blunted or cooled, albeit it be certain that the work itself hath been much hindered by our divisions) and passing by their alledged grounds (reflecting also much upon us) of dissatisfaction with the things held out by us as grounds of confidence and assurance to them of faithfull goeing about and effectuall carieing on of that worke (which we did sincerely propound and judge might have been satisfactorie in prudence),

and passing the verie sore reflections at the present constitution of the judicatories of this Kirk, and their way of exerciseing discipline, wee say, passing those things as being unwilling that more oyle be added to our flammes, wee shall only say this, that we could not, nor yet can, see a better way how to goe about that so necessarie a worke of purging than the same which wee expressed in the end of the 4th section of our Concessions (supposeing the other particulars premitted thereunto which wee desire to be againe seriously considered with Christean and charitable prudence), viz:—That in ordinarie cases, etc., as followeth in our Concessions. But as for the way proponed by our Brethren, wee still doe conceive that thereby either we must runn into such sinfull separation as is expressed in our papers, or shall condescend unto such Commissions or Committees as to our judgement are long since expired, and submitting to which would necessarily inferr a renouncing of our judgement concerning the authority of the two late Generall Assemblies, or shall turne the discipline and government of this Kirk out of the usual channell. Of this last (which indeed is a reall pourport of a part of the way proponed by them, to witt, the appointing of Committees with authority above or not countable unto provinciall Synods respective), some of the Brethren seeme to be sensible, who have said to us that they see not how it maks the discipline and Government of this Kirk to run out of its usual channell further than may consist with the preservation of government or further than is necessarie for the edification of the Kirk. Suire we are all of us that the usual channell of the discipline and government of this Kirk is the ordinance of Jesus Christ, and we would take good heed what warrand we have ourselves to turne them into another channell different from that. That which these Brethren alledge from the practise of Provinciall Synods—their bringing in of these who were formerly purged out, and appointed to be brought in by Generall Assemblies only, will not, as we conceive, be found a just parallel to the way proponed by them, viz:—Committees with

authority above Synods or not subordinate and countable unto Provinciall Synods respective, now in this present case of our want of Generall Assemblies which only can have power to appoint such Comittees, for we know that Provinciall Synods have intrinsecally the same power of jurisdiction intensive in their respective bounds, that is in a Generall Assemblie, and so in the case that we cannot have a Generall Assembly comes in the place thereof as to all maters of jurisdiction in their respective bounds; so that still the mater is dispensed when dispensed by them, by judicatories of the Kirk haveing power and authority thereanent by divine institution: But Committees haveing authority over Synods or not subordinate or countable to the respective Synods and not appointed by a Generall Assembly, are not judicatories of the Kirk in themselves appointed by God, nor have Synods nor any other persons power to appoint or delegate Committees of that kinde.

7. As to that which hath been said concerning our concession relating to the 6th article of our Brethren's overture, 1, The first parte of the said 6th article is not absolutely denied as hath been alledged, for we haveing in our concessions said that we can neither justify nor condemn the deeds of Synods and Presbyteries that have readmitted or opened the mouths of persons so censured, as is mentioned in their article, before these Synods and Presbyteries be heard (what judicatorie hath power to doe this, let be private men?) wee declare that it is our mynd and judgement that their deeds be tryed and judged by their respective superior judicatories, and accorded also, for the time of this interruption of Generall Assemblies upon the best expedient we could think upon consistent with the established government of this Kirk in reference to the deeds of Synods in such matters. 2, Neither is the latter part of the Concession so little worth as hath been alledged, seeing all these persons purged out from the Ministerie are not as yet readmitted, nor have their mouthes oppened. 3, There is also a third thing in that article, viz:—That which was desired concerning persons purged out and

intrudeing themselves againe, absolutely accorded, which was not taken notice off.

8. Concerning what hath been observed in our answer relateing to the 7th article of our Brethren's overture, we conceive the answer given by us to be sufficiently satisfactorie in that matter, 1, For if the Acts of the Generall Assemblie mentioned in our answer, particularly that Act of the Assembly 1649, be conscienciously observed, as it is our minde and we doe pourpose for our owne part it should be observed, no persons formerly excluded from having hand in the election of Ministers will be aniewayes brought in, without due satisfaction, to have hand therein ; or if anie that have bin brought in be upon due triall found to be what they were, they will be excluded from haveing hand therein. 2, To the other thing inquired in that observation, it is answered that wee needed not condescend upon the particular Acts instanced by our Brethren in their querees, seeing we accorded that the election and triall of ministers shall be caried on according to the Acts of Generall Assemblies preceeding our late differences, and these particulars are comprehended under the generall.

9. As to the sense which was given by some upon the overture represented by us concerning arbiters to compose amicable such contraversies as are about Ministers lately planted, whose gifts and calling are questioned, and contrarie plantations betwixt and the nixt meetings of the Provinciaall Synods, wee cannot thinke that it amounts to so little as hath been alledged, seeing the sentences already determined by Synods are againe referred to the consideration and amicable interposeing of arbiters, and it is not to be supposed in charity that such men as wee have agreed should be the arbiters, that is, judicious, knowenly godly and faithfull men, will be moved and led by such respects as have been alledged, to adhere stiffly to anie bypast determination in the maters recommended to their arbitrement. And granting that it shall happen that these maters shall not be agreed and settled by their amicable interposition, or if the composeing

of these maters should not be recomended to such arbiters, how can these contraversies be determined authoritatively in this case of the want of Generall Assemblies, but by the respective Provinciaill Assemblies or Committes to be appointed by them.

10. As to that which have been said upon the article of our concessions and overtures concerning subordination and submission to the sentences of judicatories, passing the hard and unwarrantable reflections which were made against the present constitution and actings of judicatories, wee declare that we did require and doe yet require assurance (which our mynd is should be given mutually) of no other submission to the sentences of judicatures than which is established by the Acts of the Generall Assemblies preceeding our late differences and hath been in practise in this Kirk since our late Reformation for ten years together and above before our late differences did arise, without contraversy or contradiction, and which belongs to the verie essence of Presbyteriall government.

A cleer Representation of such things as we have in papers and conferences conceded unto and required of our Brethren in order to union and for peace sake, and of our true meaning therein

24 November 1655.

Concerning the first article of our Brethren's Overture, 1, As to censures inflicted and pronounced upon any of our Brethren or any of their judgement upon the accompt of the protestation and declinator against the Assemblies at St Andrews and Dundie haveing premitted as a salvo a declaration of our owne judgement concerning the advisednes and justice of the Assembly in pronouncing these censures, wee have granted that all censures inflicted upon that accompt or upon the accompt of any other mater of our late differences, shall be for peace sake taken off, and as for the maner of performing

of the oftaking thereof, that it be done in such a way which, as upon the one hand, shall not bind upon our Brethren an acknowledgement of the authority of the two late Generall Assemblies or of the lawfulness and justice of these censures, so upon the other hand, shall not import the renouncing of our judgement concerning the authority of these Assemblies and the lawfulness and justice of these censures, or import a condemning of either.

II. It is granted by us that all Acts ordaining censures against Ministers, Expectants, Elders, or any other members of the Kirk, for the declinators and protestations or any other matter of our late differences, shall for the *interim*, untill there be a Generall Assemblie, be sifted, and altogether ceased from being putt in execution;—and that whensoever God shall grant us a Generall Assemblie, wee shall endeavour to the utmost of our power the abrogation of them; and that the Acts anent the publick resolutions, all declamations, warnings, and Acts of judicatories whatsoever that relate thereunto or are the results thereof, shall be rendered of none effect as to censure.

III. As to that required of our Brethren's foirsaid article, viz: That the Acts concerning the publick resolutions, the declarations, warnings, acts of judicatories mentioned therein, be rendered of none effect, as they doe import or may be alledged as the definitive judgement of this Kirk, or the judicatories thereof, and that they be not reacted in tyme comeing—

As we could not, nor can, declare these resolutions, the declarations, warnings, acts of judicatories that relate thereto or are the results thereof, to be the definitive judgement of this Kirk and the judicatories thereof, nor either could we or can we renounce our owne judgement and estimation of them as such, nor either could we or can we bind up ourselves so as to engage ourselves, that in no possible occasion hereafter (albeit there is no likelihood that there shall be any such occasion againe) we shall give any such resolutions, so we have declared and doe declare that these publick resolutions, the de-

clarations, warnings, acts of judicatories that relate thereto or are the results thereof, shall not at any tyme hereafter be urged upon nor alledged against them nor anie of their judgement in any judicatory of this Kirk, in time coming as the definitive judgement of this Kirk to anie effect. And we have declared and doe declare that by this elause (of not makeing use thereof against them to anie effect) wee meane not only as to censures, but also that we shall not make use thereof against them or anie of their judgement, as an argument to determine the controversie, if it shall happen that the said bypast resolutions or the like shall come to be debated in anie ensuing Generall Assemblies.

IV. As we have required of our Brethren that they shall not hereafter in anie judicatorie of this Kirk make use of their declinators and protestations against the two late Generall Assemblies for continueing or renewing debates about our late differences, so we have declared and doe declare that the meaning thereof is that they shall not make use of these declinators and protestations in anie judicatories to call in question and annull the constitution and authority of these two late Assemblies. And we declare—

1. That this doth not import upon their parte a passing from these declinators and protestations as standing testimonies of their judgement concerning the things declined and protested against, whatsoever we conceive and judge they ought to doe as to this.

2. That by granting what is required of them by us in this, wee doe not understand nor hold that they are bound up from making use of these declinators and protestations (if so they shall thinke fitt to doe) as a legall exception and defence to them against the constitution and acts of these two late Assemblies, in case at anie tyme hereafter the constitution and acts of these two late Assemblies shall be made use of or alledged for anie effect against them or anie of their judgements, providing alwayes and understanding herewith that they doe not first make use of their declinators and protestations in

any judicatorie hereafter to call in question and annul the constitution and authority of the said Assemblies.

3. That what is required of them by us herein relateth only to the bypast declinators and protestations, abstracting from what may be done or may not be done by them upon anie emergent occasion which may possibly happen hereafter.

4. That by granting what is required of them by us herein wee doe not understand nor hold that they are bound up from representing in a sober and modest way to the consideration of an ensuing Generall Assemblie anie reasons which they conceive they have against the late publick resolutions, or from makeing use of their protestations in so far as the said protestations doe relate unto the matter contained in these resolutions, although we conceive it were fitter they should forbear this, and that they ought not to doe it, because as we conceive the doing of this, in the nature of the thing, is likely to tend to the renewing of debates and contentions amongst us, and we are confident that no sufficient reasons can be brought against these public resolutions.

5. That by granting what is required of them by us in this we understand not nor hold that, in case anie within or without this nation shall enquire if these publick resolutions be the definitive judgement of this Kirk or the judicatories thereof, and anie of the judicatories of this Kirk shall assert the same (as we judge they are, and that the judicatories ought to assert them so to be), they are bound up from protesting upon anie reasons they please that they are not, albeit we judge they ought not so to doe.

Concerning the 2^d article of our Brethren's overture as we have for a salvo of our judgement asserted no unwarrantable prelimitations were putt upon the election of Commissioners to the two late Generall Assemblies, so we have declared and accorded—

1. That no unwarrantable prelimitations be putt upon the election of Commissioners to anie ensuing Generall Assemblies.

2. That the constitution of all ensuing Generall Assemblies shall be carried on according to the acts anent the election of Commissioners to the Generall Assembly made by and according to the constitution of Generall Assemblies preceeding our late differences.

3. That whatsoever relevant exceptions shall be proponed and offered to be verified against anie that shall be chosen to be Commissioners shall be taken into consideration and discussed according to the established order and practise of this Kirk before the late differences, only provideing that none of the particulars of our late differences be alledged on either parte against the sitting of anie persons as Commissioners in ensuing Generall Assemblies.

Concerning the third article of our Brethren's overture anent adherence to the dueties contained in the Covenants and in the confession of sinnes and engagement to dueties, we referr to our answer made in our former paper in relation to that article.

Concerning the 4th and 5th articles of our Brethren's overture—

1. Wee have declared and endeavoured to give assurance by such grounds as we conceive to be necessary and think ought to be satisfactorie in reason and charity, that we resolve, that, as we desire to be found faithfull to him that hath called us, we shall by the Lord's Grace concurr with them, if they unite with us, or if this shall not be, to put forth ourselves of the outmost of our power in that most necessarie worke of purgeing the Kirk from insufficient and scandulous Ministers and Elders, whatsoever judgement without partiall respect, not doubting but there will be found of this sort Ministers and Elders both of the one side and of the other.

2. That for effectuall carieing on of this work, we shall doe what in us lyeth, what by bestirring ourselves, what by stirring up others whom we shall conceive to be negligent, what by strengthening the hands of these who shall make conscience of the work.

3. That the procedure therein both for manner of

process and the causes of censures, shall be according to the Acts of Generall Assemblies which preceded the late differences.

4. That the work shall be gone about with diligence and expedition.

V. Wee have indeed refused that which was desired by them in the first parte of their fyft article, viz: That the Commission and Visitations appointed by the Assembly 1650 should sitt either by authority derived from that Assemblie or by authority given to the persons nominated to be thereupon, by approbation of Presbyteries for the effect forsaid, because as we conceive that Commission and these Visitations are long since expired as to anie authority they had from that Assemblie, and Presbyteries cannot by anie condescendence give the persons such authority, neither was that peremptorily and absolutely required by our Brethren in their article, but only alternative.

VI. As to the 2^d part of the alternative in that 5th, We have accorded that Synods shall appoint and authorize in their severall respective bounds for triall and censure of insufficient and scandalous Ministers and Elders, Visitations to be constitute of men knownly judicious, godly, and zealous for the work of reformation, who shall be chosen impartially and without by-respects to our present differences. Only we have not, nor could adstrict ourselves to this, that they shall be chosen in an equal number of both the now differing judgements and that for weightie reasons upon the matter.

VII. Ffor removeing of whatsoever jealousies our Brethren have possibly by reason of the late differences taken up, that after our Union when we are the plurality in judicatories, wee may incline to carie things in this matter or in anie other matter of government contrarie to their mind, wee have declared for our parte (expecting that they will doe the like for their part) that we shall not challenge nor censure any person for anie thing that hath been contraverted amongst us, and that we shall neither ourselves, nor, so farr as in us lyeth, suffer others,

to doe any thing for displeasure or partiality in relation to the differences that have been among us; and that in all our judiciale actings we shall endeavour to abstract from everie thing of that sort; and that we shall use all meanes for begetting mutuall confidence according as is exprest in our paper of Concessions and Overtures.

Concerning the 6th article of our Brethren's Overtures, wee have accorded that these Synods or Presbyteries which have readmitted, or opened the mouthes of Ministers, Expectants, and Schoolmasters, who were deposed, silenced, or removed from their charges, shall give an accompt of their deeds and procedures in these matters to correspondents of neighbouring Synods or Presbyteries respective, who, if they finde anie thing done amiss by these Synods and Presbyteries, shall labour with them to rectify the same, and that when Presbyteries or Synods are to goe about the readmission, or opening the mouth of anie person so censured, they shall call for more then ordinarie correspondents from neighbouring Presbyteries or Synods respective, for givinge their advice in and being witnesses of their proceedings in the matter, and that persons so censured, as is aforesaid, who have intruded themselves, be censured and removed.

Concerning the 7th article of our Brethren's Overtures, Wee desire that the election of ministers be carried on according to the constitutions of Generall Assemblies preeceeding our late differences, and particularly the Act of the Assemblie 1649, which being conscienciously observed, no person not having right unto, or being in an incapacity, will have suffrage therein. And we have accorded that in this matter speціаль respect be had to such as are knowne to be most judicious and godly, so that other members of congregations be not deprived of their just right and priviledge of suffrage in election of Ministers.

Concerning the determination of contraversies about the plantation of Ministers whoes calling and gifts are at this tyme questioned, and contrarie plantations,—

Wee have accorded that, albeit these matters be alreadie

determined by Synods, yet they shall be againe committed to arbiters, judicious and godly men of both judgements, impartially chosen to endeavour the composing of them amicable to the satisfaction of all parties interested betwixt and the next meetings of the Provinciall Synods, and if these arbiters shall not attaine the amicable composing of the said differences, that the Synods in whose bounds they are shall againe cognosce, try, and judge those matters according to the order of this Kirk and Acts of Generall Assemblies preceeding our late differences, or shall appoint Committees constitut of persons chosen, as is foresaid, for that effect.

Concerning the subordination and subjection to judicatories, Wee have declared that we desire no other submission to the sentenees of the judicatures of the Kirk, but such as is agreeable to the Acts of Generall Assemblies and the constant, uncontroverted practise of this Kirk before our late differences; and such as our Brethren themselves will acknowledge is just and necessarie to be given to the judicatories of a Kirk enjoying the true religion in doctrine, worship, government, and discipline, as is established in this Kirk; and in a word that same which the Generall Assemblie 1647, in the Act concerning the 111 propositions and the 7th head of doctrine therein contained, doth declare that they doe firmly beleeve, owne, maintaine, and commend to others, as solide, true, orthodox, grounded upon the word of God, consonant to the judgement both of ancient and the best reformed Kirks, viz: That the lesser and inferior Ecclesiastick Assemblies ought to be subordinate and subject unto the greater and superior Assemblies, and what we desire to be declared concerning this, we desire and accord that it be done mutually.

Wee have accorded and doe accord that in this interruption of Generall Assemblies there shall be a meeting of correspondents of judicious and godly men from the severall Synods of this Kirk, to be nominated without by-respect to men's judgements about the matters of our late differences, by the Synods from one Synod to another,

for consultation and advice about the matters that may concerne the Kirk in common; and to give advice anent such things as may promove the work of God in the land.

Concerning the matter of the last article of our Brethren's overtures, Wee referr to the answer in our paper relateing to the said article, and with all here declare that, as to the way of indicting the next ensueing Generall Assemblie, wee are content, sobeing our Brethren unite with us upon the grounds above expressed, that, whensoever God shall grant us the opportunity of haveing a Generall Assemblie, it be indicted by the meeting of correspondents mentioned in the preceeding concession.

The Protesters' Answer to our Representation

27th November 1655.

Having receaved from our Brethren a Representation of such things as they have in papers or conferences conceded unto us in order to union, and for peace sake and of their true meaning therein, Wee doe returne this answer—

That, as we doe entertaine with all due respect the things represented by our Brethren and are glad that in some things which concern persons and their libertie they are come a greater length then heretofore, so we doe professe that, if we could finde satisfaction therein to our consciences anent the things that concern the Kingdome of Jesus Christ and the worke and people of God in the land, which ought to be of more value with us than the things that concern ourselves only, we would for peace sake willingly accept thereof, notwithstanding of any personall prejudice or inconveniences that it might be attended with to all or anie of us. But after sober and serious consideration of the whole matter, we doe not find satisfaction in consciences in order to these great concernments, to transact such an union with our Brethren as would be the result of the concessions and demands propounded by them in that representation. And, though we doe not desire to detain our Brethren with the hearing

of the particular reasons of our judgement in this matter, having long agoe upon the first offer of the Overture of the late contraverted Assemblie at Edinburgh (which is the same upon the matter with many things contained in this representation) propounded the reasons why we could not accept thereof, yet we doe offer these generall hints, being willing, if our Brethren shall thinke fitt, to conferre thereupon in a more particular way. 1. The holding fast of the constitution and authority of these contraverted Assemblies and of the publick resolutions, and the acts and warnings, and declarations of the Commission, and of these Assemblies that are the results thereof, as the definitive sentence of this Kirk and the judicatories thereof, as it doth exceedingly weaken almost all things else that are conceded by our Brethren, and upon the matter makes them concessions of meere graace and favour, so being joyned with our Brethren's refuseing not to react such things in any tyme hereafter, it yeelds no security to the cause and people of God, but still leaves them under a verie apparent hazard of the same, or of the like prejudice, that they have already sustained thereby. 2. If we shall engage that wee shall not hereafter, in any of the judicatories of this Kirk, make use of our declinatures and protestations against those contraverted Assemblies, as it would upon the matter condemn our judgement and inferr our passing from and renouncing of the same, in so farr as they might be a remedy against the corrupt constitution of these Assemblies, in order to which we did conceive ourselves bound in duety and conscience to make them, so it would, as we conceive, with our owne consent establish for the future the constitution and authority of these Assemblies; and how (notwithstanding of any forbearance granted unto us) this should not also by our owne consent inferr the publick resolutions, and the acts and warnings and declarations of the Commission, and of these Assemblies that are the results thereof, to be the definitive judgement of the judicatories of this Kirk, is more then we can exped ourselves of. 3. There is no sufficient provision made for the right constitution

of future Generall Assemblies, the first two propositions of our Overture not being condescended unto as was desired, and the constitution of these two contraverted Assemblies being still adhered unto. 4. Albeit we doe not question but there are amongst our Brethren who plead for the publik resolutione, godly men in whose heart it is to endeavour the purging of this Kirk from insufficient and scandalous Ministers and Elders, yet the pluralitie being such as have given more than probable evidence of their aversnesse from this most necessarie worke which so much concerns the honour of God and good of souls, and which these in the land who have experience of the worke of God upon their owne hearts are generally longing and crying for, we can have little or no well grounded expectation of doing this worke in the way propounded by our Brethren, but, joyning the same with a declaration of such submission to the judicatories of the Kirk as they doe require, have cause to feare that it might put us and many of the Lord's people throughout the land in a worse condition than heretofore. What is cited by our Brethren from the Acts of the Generall Assembly of this Kirk concerning subordination and submission, particularly from the Act of the Generall Assembly 1647 concerning the hundreth and ellevin propositions and in the 7th head of doctrine therein contained, wee doe not differ with them thereupon, but desire them also to remember that which is said in the declaration of that Assemblie, page 11 from the 13 lyne and forward, and in the 31 and 32 of these propositions, which being applyed to the present state of the judicatories of our Kirk, gives us just ground (espeecially at this tyme) to forbear condescendence to any such declaration or submission as is required by our Brethren.

Having now shortly declared our resolution upon our Brethren's representation, with some hints of the reasons thereof, though we doe conceive that our Brethren not only ought in justice and conscience condescend to what we have desired, but also may without wronging of their owne judgement come a farr greater length in their Con-

cessions, and doe earnestly exhort them so to doe, these things notwithstanding, we doe, in order to union and for peace sake, and that the prejudices of the present divisions may be removed so farr as can be attained, and that we and our Brethren may be put in some capacity for joyning together to carrie on the worke of God in the land, and to preserve the government of the Kirk which we conceive to be in reall hazard, propound : That, abstracting from our differences and reserving the libertie of our judgement and practice thereanent to be moderated and directed by Christian prudence and discretion, as may contribute for edification according to particular exigents and occurrents, wee are willing to joyne with our Brethren in Presbyteries and Synods in all common and uncontraverted dueties, Provyding, 1, That all censures and all acts relating to censure upon Ministers, Expectants, or Professours, about things contraverted in these differences, be made voyd, and that all barres that upon the accompt of these differences stand in the way of Elders or intrants to the Ministerie, be taken away. 2, That, abstracting from censures upon anie thing that concerns the late differences, Committees and Visitations for tryell and censure be appointed by everie Synod within its owne bounds, and that these Committees shall consist of an equall number of both judgements, each to be nominated by these of their owne judgement, and authorized by the Synod, and that the procedure in the tryell and censure shall be only according to the reule of the Word of God and the Acts of uncontraverted Assemblies, and for the same causes and in the same manner as was practised by the Visitations and authorized by the Generall Assemblies of this Kirk before these differences did arise, and that these Committees shall in their proceedings be countable to the Synods by whom they are appointed, and that, for making of this effectuall, the severall Synods doe meet with convenient diligence *pro re nata* for putting the same in execution. 3, That there be a common Committee for consultation and advice and for composing of differences in Presbyteries and Congregations in an.

amicable way, and that this Committee shall consyst of an equall number of both judgements, each to be nominated by these of their owne judgement, and that Synods shall not reverse the deeds of the particular Committees and Visitations within their bounds without the previous advice of this common Committee.

Wee have only to add that, as it is the earnest desire of our hearts that we and our Brethren might come to a more perfect union and accord, and be of one heart and of one way in the Lord, and for carrying on of His worke, so we desire and expect that our Brethren will not refuse the things propounded by us in the last parte of this paper, as tho' it did not contain reciprocall condescendence upon our part to that which is desired upon theirs. Albeit such reciprocation of concessions be no safe rule in differences about things religious (and we know is not lookt upon as a safe rule by our Brethren), yet even upon that accompt we may justly say that wee have yeilded as much if not more than we doe desire. But whatever be in this, we have in the simplicity of our hearts propounded the most probable way of laying some fundation of a further union, and of begetting more mutuall confidence, by taking tryell ane of another for a tyme in the way that is propounded.

Our Return to our Brethren's Paper of
November 27th

28th *November* 1655.

As we can not but with gladnes receive our Brethren's testimonie of our ingenuity and plaine dealing with them, as also of our peaceable inclination evidenced by our coming a greater length in order to peace (our Brethren themselves being judges) than at any tyme heretofore, so wee are necessitated to declare how much greife of heart it is to us, that, after so long attendance and so much condescension by us, we have received this paper from our Brethren, as their result upon the whole matter, wherein they declare themselves unsatisfied in conscience

to transact such an union with us as would be the result of these concessions and demands which were propounded by us in our severall papers, a result indeed, which, as it is sad in itself and will be so, we doubt not, unto many dear to God in this Kirk, who may say with the prophet, ' Wee looked for peace and there is no good ; and for a tyme of healing, and behold trouble,' so it is so much the more sad unto us, as it is granted unto us upon such reasons held forth in our Brethren's paper and backed with such demands in order to peace, as being stood to by our Brethren, do (as we conceive) make our wound incurable and the repairing of our breaches almost desperate. And altho' they are evidently such unto us, we shall nevertheless so farr pursue peace as to demonstrate how little weight there is in these our Brethren's reasons upon which they reject our concessions, and how inconsystent these demands of theirs are with either order or peace in this Kirk, that so if it be possible we may bring our Brethren nearer to the so much desired union, at least exoner ourselves before God and to the consciences of all the godly and judicious in the land, that we are not the men upon whom the continuance and consequences of these woefull divisions ought to be fastened.

And, first, to the generall reason insinuated by them against all our concessions, that thereby no satisfaction is given anent these things which do concern the kingdome of Jesus Christ and the worke and people of God in the land, wee answer, 1, Our concessions as they were offered in our paper of November 16th and explained in our Representation November 24th, will speake for themselves, and, we doubt not, will give abundant testimony to the godly, sober, and judicious, how unjustly they are charged with the hazarding or casting loose of these great concernments. 2, Wee desire our Brethren to consider if by the security demanded by them unto these great concernments, to witt, a Committee of equall number, etc., they doe not give unto us and to all men ground to conceive that to their apprehension no thing can secure the kingdome of Christ and the worke of God in the land, except

they themselves be the plurality, at least, by having equalitie, have a negative voice in all questions that may occur in all Congregations, Presbyteries and Synods in this Kirk. 3, Wee doe againe desire, and in the bowels of Christ obtest our Brethren, to consider if the keeping open the gap of our divisions shall not much more pre-judge the kingdome of Christ in this land than such an union which would be the result of our concessions. And how inconsistent it is with their professions of such zeale unto the kingdome of Christ to stand at so great a distance with their Brethren, as now in the close to winde up the differences to such a height, even when they have left no mean unessayed for attaining of peace with them !

As to their first particular reason whereby they affirme that our holding fast the constitution and authority of the two late Assemblies and of the Publikt Resolutions, as it doeth exceedingly weaken almost all our other Concessions, making them Concessions of mere grace and favour, so being joyned with our refusing not to react any such things in any time hereafter, it yeelds no security to the cause and people of God, etc.,

Wee answer, 1, That this reason imports that we must not hold fast, but in order to peace passe from, the constitution of these Assemblies, which is a new demand not formerly sought from us in the Conference by our brethren, but rather expressly passed from by them in their answer to our Querees, upon their 2^d article. 2, Our Brethren doe know we have yeelded that neither the acknowledgement of the auctoritie of those Assemblies nor yet of the Acts thereof, shall be pressed upon or alledged against them or anie of their judgement as the definitive sentence of this Kirk. Only we have refused to grant unto that part of their desire that the Acts of these Assemblies should be declared by us not to be the definitive sentence of this Kirk or of the judicatories thereof, and that because, if the desire relate to time past, we can not but assert that *de facto* these were the definitive sentences of this Kirk and stand in record as such in the publik registers both of Church and State,

and, if the desire relate unto the future, so as whatever they were in our judgment for the tyme by past, yet they shall be repeated and never afterward alledged as the definitive sentence of this Kirk. Neither can this be granted, because it were upon the matter a doubt of this authority of these Assemblies which did establish them and a means to begett at least a strong presumption if either injustice in publik judicatories or of levitic; it were to render the resolutions of the Commission of the Kirk in these things as tho not yet appoven; it were to strengthen our Brethren and others of their judgement in that opinion that these resolutions were the sin of the land and a great part of the cause of all that wrath which is burning against us; and it could not but be interpreted, as at home, so by the Kirks abroad who have heard of our questions herein as a taking with the guiltines of those as persons cast upon us on all hands. And, now, seing we are clear in our judgements that these resolutions are just and warrantable, wee appeall to all the sober and judicious, even to the consciences of our brethren upon the review, to judge how we can in conscience condescend to such a desire, whereunto our condescendence would inevitablie bring with it all the aforementioned sinfull consequences. But, 3, Our holding of these resolutions to be the definitive sentence of this Kirk doth not, as is alledged, exceedingly weaken our other concessions unto our Brethren, we having undertaken not to urge them upon, nor alledge them against any of their judgements as the definitive sentence of this Kirk, neither maketh it our concessions to be of mere grace. They are indeed favourable concessions for peace, and such as we doe conceive ourselves, in the present woefull condition of this Kirk, bound to offer in order to peace. 4, We did also refuse to grant that part of their desire whereby they would have us binding up ourselves that in no possible occasion hereafter we should give any such resolution, becaus that were interpretatively to take with the guilt of a fault in what is already passed. It were, as we conceived, to bind us up from the practice of a

duety which may be found necessarie for the tyme to come. It were to make our Religion hardly thought off, and harbour and protection to be denyed unto it under any state, and a trinching upon the civill magistrate and a questioning of his power to imploy subjects in the defence of their lives, lyvlihoods and liberties. But, 5, Our refusing to bind ourselves doeth not as is alledged expose the people of God to hazard and prejudice, because, 1, If such a question should be againe propounded (which is unlikely), the giving of such a resolution would tend to the preventing of hazard and the security of the people of God, by holding out, as we conceave, a lawfull and necessarie means appointed by God and nature for their owne defence. But, 2, If our Brethren shall not judge so, we conceive they are not bound up by this agreement from using any means which they shall think good to oppose or testify against such a resolution, if it should be given, whatsoever the judgement of the judicatories concerned may be of their actings of that kind.

As to the 2^d reason we answer, 1, It is hereby clear that no lesse can satisfie our Brethren's judgement, than that they, with our owne consent, should have liberty to make use of their protestations in the future Assemblies for annulling these late Assemblies, and that upon the reasons held forth in their protestations, whereby it doeth evidently appear their consciences doth bind them to pursue us as scandalous men, unworthy to have sitten in these Assemblies, and by paritie of reason that we ought not to sitt in any future Assembly untill wee change our mynd and repent, for that is one of the reasons upon which they protested against these Assemblies, which protestation they doe here declare they thinke themselves bound in conscience to follow furth, and, if so, what hopes can there be of peace? 2, Tho' we doe mentenance the lawfulness of the constitution of these Assemblies, yet we have expressly granted in our concessions that we should not urge any such acknowledgement upon any of our brethren's judgement, yea, and that we should not presse upon them as a condition of our union their

passing from their protestations as standing testimonies of their judgements concerning the things protested against, or their not use-making of these protestations as a legall defence against the constitution and Acts of these Assemblies, in case at any time hereafter the constitution or Acts of these Assemblies be made use of or alledged for anie effect against them or any of their judgement, so farr are all or any of our concessions from binding upon our brethren to establish with our owne consent the constitution or authority of these Assemblies and of the Publik Resolutions, as is without shew of reason alledged by our Brethren in this their 2^d reason.

As to their 3^d reason we answer, Our brethren upon a review may see, and we are confident others will also see, that in our concessions sufficient provision is made for the right constitution of future Generall Assemblies, while we declare and accord as is expressed in our representation that no unwarrantable prelimitations be putt upon the election of Commissioners to ensuing Generall Assemblies, and if the constitution of all ensuing Generall Assemblies shall be carried on according to the Acts anent the election of Commissioners to Generall Assemblies made by and according to the constitution of Generall Assemblies preceeding the late differences, and that whatsoever relevant exceptions shall be propounded and offered to be verified against any that shall be chosen Commissioner, shall be taken into consideration and discussed according to the established order and practice of this Kirk before the late differences. But, 2, While they make our adhering to the constitution of these Assemblies an evidence that no provision is made for the right constitution of future Generall Assemblies, do they not evidently declare that they cannot be clear to transact an union with us untill we change our judgement in relation to the constitution of these Assemblies, and, if so what hope is there of peace ?

As to the 4th reason, wherein they affirme they can not have any well grounded expectation that anything shall be done in purging the Kirk in the way propounded by us,

and that because the plurality in judicatories to whom the work is referred have given more than probable evidence of their aversness from that necessarie work, Wee answer, 1, We cannot but regrate that our brethren are so liberall at all occasions both by word and writt to asperse the judicatories of this Kirk as corrupt imployers of their powers against the godly, averse from the work of purging and what not. And all this that by such, clamorous people may be made to conceive a necessity of setting up a new way formerly not heard of in this Kirk, of guyding all things by Committees of equall number of different judgements. And tho' we doe not deny but there may be and doubtless are insufficient and scandalous Ministers of both judgements, in the tryell and censure of whom we doe earnestly wish that the respective judicatories would vigorously proceed, yet for rubbing off of these aspersions in so farr as they reflect upon the bulk of the Ministerie and the plurality in judicatories, we desire our brethren and all men to consider, How unreasonable and unjust this way is that while our brethren are in their severall Presbyteries, and at the Visitation of particular kirks, and in their Synods at the tryell of their severall Presbyteries, they are requyred upon their consciences to declare their judgements then; and yet little or nothing offered by any of them (for anything we know) of any challenge concerning the qualification or conversation of the members of these judicatories. How then can our brethren satisfie themselves to speake little or nothing then, and yet in their pulpits and publick papers to cry out against the whole bulk of the Ministerie and plurality in judicatories without condescending upon particulars! 2, Howbeit the injustice of this aspersion be well knowne to many of us in many of our severall Presbyteries and Synods, yet we desire it may be considered how improbable a thing this corruption of judicatories is, seeing the Lord of His Mercie hath within these few yecres removed so many scandalous, idle, and unprofitable men in all the corners of the land, and through His Goodness many able and gracious young men to our

certain knowledge are placed in their rroumes ! Yea to this day it hath never been heard for any thing knowne to us that any complaint concerning any Minister in particular for his scandalousness or insufficiency hath been rejected, slighted or not taken notice of by the judicatorie unto which it was offered. Besydes, doth not the election of Commissioners unto our late Generall Assemblies or to other publik employments consist for the most part of the same persons, or of else able and pious men as were chosen to any Generall Assembly preceeding our present divisions, which one thing doth mainly try the pulse and discover the disposition of judicatories ? But, 3, If all this will not satisfie our Brethren, so as to make them speak and writt more respectively of the Ministers and judicatories of this Kirk, we doe seriously urge and obtest our Brethren that they would condescend upon the particular persons and scandals, together with the presumptions and evidences of their guiltines, and delate them to their severall respective judicatories. And with all we doe declare that we shall endeavour in our stations and places that such may be exactly tryed and condignly censured, that the conivence at and overlooking of these scandals may not be imputed to the judicatories so much as to our Brethren who refuse to take this orderly way appointed by Christ for bringing persons guilty to due tryell and condigne censure.

As for what our Brethren doe alledge in this reason that the subordination and submission unto judicatories requyred by us doeth give ground of fear that our union shall put the people of God in a worse condition then heretofore, Wee answer, 1, Wee crave no other subordination than what is established by the Generall Assemblies of this Kirk. And if our Brethren doe not herein differ from us (as here they professe they doe not), then why doe they not yeeld to our demand, for that is all the subordination and submission which wee requyre, the granting whereof, of any one thing wee conceive, will satisfie all the members of this Kirk most ? 2, Wee have remembered that which is said in the declaration of the

Assembly 1647, page 11 from lyne 13, and desire our Brethren to read that section from the beginning wherein we are confident they shall find nothing contrarie to the subordination by us required but much for it.

Besyde, Wee deny that the Assembly doth in that place speake to the present Case, but speaks as is evident of a kirk not constituted, but to be constituted as to Church discipline. But we are a kirk already constituted in all the judicatories thereof, and no member of these judicatories can be put in an incapacity of acting untill after he be censured. Wee have considered also the 31st and 32^d of these 111 propositions, though not yet ratified by any Generall Assemblie, and have found nothing against but much for the subordination which we desire.

As to our Brethren's overtures or demands in order to peace held furth in the latter part of their paper, we would have it observed in generall: 1, How it is that notwithstanding of our severall offers in order to peace from tyme to tyme, and these being the first concessions which were ever offered by our Brethren, that they have been kepted up by them from us these 20 dayes bypast untill the very last dyet of our conference, and till such tyme, that, as themselves did declare, the Brethren on either hand were so much outwearied with so long attendance that they could not remaine in towne any longer? 2, It would be observed that our Brethren doe not offer these things as overtures whereupon to ground a present union, but that thereby we may be put in a capacity for joyning together, and, as they say, for taking tryell one of another, so that they are so farr from union that for the present they doe judge us not to be in a capacity for it, and that notwithstanding we should accord to all the overtures propounded by them, yet we shall be at liberty on either hand to break and run in parties whenever we please, and so scandalize the people of God more than we had never united. 3, Tho' they propounded these overtures as concessions on their part, yet we judge it will be obvious unto anie that all of them are demands of things to be granted by us, and that they themselves do condescende

to no thing, for all they grant cometh unto this, that their demands being yeelded unto by us, they shall joyne with us in Presbyteries and Synods in all common and uncontraverted dueties, and subject themselves to the determination of Judicatories as far only as they thinke fitt. And we would gladly know if our Brethren doe not this much already. What then is gained by our union upon this overture? But, 4, Wee do not know may *lurk under that salvo propounded by our Brethren that abstracting from our differences and reserving the liberty of our judgement and practice thereanent, etc.*, their true sense and meaning, wherein we have so much the more reason to doubt as that, when it was propounded by our Brethren in their former paper, and they desired by a querie to explaine their sense in it, it was waved by our Brethren, so that we can conceive no other but that, notwithstanding of the determination of judicatories, they intend hereby to reserve a liberty unto themselves to doe what seemeth good in their owne eyes, or that they intend, notwithstanding of our union, to continue in, and react as occasion offereth, these many disorderly practises which were formerly practised by some of their judgement, and, for any thing knowne to us, not contradicted by them, such as the bearing in of Intrants upon Congregations by force, not only without, but against, the consent of the body of the congregation, yea of the plurality of the verie Eldership, and these in some places where congregations have been already planted by lawfull judicatories, and that Ministers of neighbouring Presbyteries shall without Commission from a Synod exercise jurisdiction in purging or planting within the bounds of a neighbour Presbytrie, and that not only without the concurrence but contrarie to the declared mynd and goodwill of the Presbytrie of the bounds, and that Presbyteries shall not take concurrence from Synods whether for purging or planting, even where Synods do thinke it necessary and accordingly injoyne it, but that they may have liberty to goe on, doe without them, and contrarie unto them. Now if liberty be reserved for these and such like praec-

tises what peace, order or union can there be? 5, Wee see no course layed downe by our Brethren's overture for deterring contraversies about the plantation of Ministers whose call and gifts are questioned or contrarie plantations. Will our brethren allow of no remedy for healing of these woefull heartburnings occasioned in congregations by these plantations?

But to their desire in particular. As to the first, they requyre from us a thing impossible, for tho', as we have undertaken, we may effectually endeavour the taking off of censures already inflicted, and the ceasing altogether from the execution of all acts of censure, and the abrogation of these acts in a Generall Assembly, yet we cannot make them voyd before a Generall Assembly, which notwithstanding our Brethren will have done by us before they joyne with us in common and uncontroverted dueties in their respective Presbyteries and Synods.

As to the 2^d demand, 1, We understand not what is intended by that phrase, 'abstracting from censures upon any thing that concerns the late differences'; and whether our Brethren under this dark expression may not reserve unto themselves a liberty to censure for things in difference when they shall have power so to doe, which if our Brethren do not intend, we wish they had expressed their mynd more plainly and fully as we have done in our Concessions. But, 2, tho' we have declared our resolution and purpose that the Church shall be purged by the ordinarie judicatories or their Committees, yet we *cannot condescend to what is required by our brethren, viz: That these Committees* shall consist of an equall number of both judgements, each to be nominated by these of their owne judgement, etc., Because, 1, This is impossible in some Synods where there are a few or none of our Brethren's judgements. 2, It were a most absurd prelimitation of Synods in their elections, as necessarily enforcing some to be authorized as members of a committee for purging of the whole Kirks in the bounds of a Synod (which is no small trust) upon that only reason because they are of our Brethren's judgement, how unqualified

soever they may be for such a trust and employment.

3, This were to put our Brethren in the possession of a negative voice in these matters of greatest concernment over the whole Church, so that nothing could be acted without them, whereas for the present their number in the judicatories of this Kirk is verie inconsiderable.

4, It would be ineffectuall as to the end, supposing, which is verie probable, that the Committee shall equallie divide.

5, It were a way most factious, tending inevitable to the perpetuating of our differences, and heightening of animosities, when we should come to everie committee, as two contrarie equall parties, to give a prooffe, as it were, which of us could overwitt, outwearie, and gaine ground upon others. And we leave it to all men to judge whether the way proposed by us of choosing able and faithfull men without respect to their judgements, be not the more peaceable and probable way to effectuate the end.

6, It were an enslaving of Synods to give their authority unto any who should be named by either of the parties, even though the Synods sould be convinced of their unfitness for the work.

7, The great ground of this demand is the alledged corruption of judicatories, which how unjust an alledgance it is, we have already made to appear ; and our granting to their demand being pressed mainly, if not only upon the forementioned ground, were,

1, some yeelding on our parte to what they doe so uncharitably assert ;

2, were, as we conceive, a preparative hazardous to, and destructive of all constitute government, civill and ecclesiastick. For if this be yeelded to that members of judicatories, even the fewer part, shall upon pretence of corruption in the judicatories not only with-draw obedience from them and act contrarie to them, but resolve to continue so doeing till they themselves as the *sanior pars* be put in a capacity to purge the rest, what probability is there of the subsisting of any government and preserving it from the encroachments of men at their pleasure ? Besides, many with our Brethren upon the same ground and pretense decline the judicatorie that gave them power and to which they are countable, and

so pretending their power to be still standing in force untill they shall finde a judicatory to which they shall be pleased to give an account, may usurpe the power of that committee during their pleasure.

As to their 3^d demand, wee have yeelded to such a common committee for consultation in our representation, November 24. But wee cannot condescend to the equality of number which is desired, because of our reasons presently mentioned, and much less can we condescend to that clause of power sought to be granted unto them, to witt, That Synods shall not reverse the deeds of particular committees without their previous advise, ffor, 1, That were to deprive Synods of their liberty in things of greater importance. 2, Hereby Synods should be bound up altogether in most cases from cognoscing of and determining in the proceedings of their committees. Ffor supposing the generall committee shall give no advice, which may verie frequently fall out, it being constitut of an equall number of both judgements, as is demanded, then the Synod must never passe a determination, least, haply, they reverse the deeds of their committee, which is contrary to our Brethren's demand, and so in effect the severall committees are made not comptable to those who did appoint them.

Thus having showne the weaknes of our Brethren's reasons alledged against our Concessions and the inconsistency of their demands either with peace or order of this Kirk, wee doe now in the close obtest them in the Lord that they will take these our Condescensions offered in our former papers to their serious consideration, and accept of them, and withall that they would seriously ponder how much by our divisions the authority of Church Government is weakened, scandalls are multiplied, error, prophanity, yea, and Poperie, is like to turne prevalent, and our Brethren themselves left to run upon snares for upholding of that party and advancing of what they conceive to be the work of God. Oh that they would consider that a famous Kirk is near already destroyed, and how we are made a laughing stock unto all who are

round about, while we byt and devour one another and spend the flowre and edge of our spirits one against another, and upon things of far less concernment than those other things which we should be taken up with, and from which we are much diverted by our mutuall debates and contests one against another ! Wes not unity once our praise among the Reformed Churches, and are not our divisions now our shame ? And how sad is it that this breach should be under our hands and how much sadder is it that we will keep the gap open and refuse lawfull and uarrantable means of healing ! Can God be pleased with such work and can we expect a blessing in it ? Shall we run in a way contrarie to promises and yet expect the blessing of the promises ? Is it not there, to wit, in our joint and united walking that the Lord doth command the blessing, and are we not commanded to be at peace amongst ourselves if so we would have the God of peace to be with us ? Can there be any such disadvantage to the work of God by our union as the want of accesse to claim right and interest in these promises through our continued divisions ? And as for us, we can hardly beleeve that when our Brethren shall thinke seriously upon it, tho' as they alledge they cannot find sufficient security from our overtures that the work of purgeing shall be effectually gone about according to their mynd, that this disadvantage of our union shall have weight to satisfie their consciences from venturing upon these sad inconveniences which will necessarily follow upon our continued divisions, such as the increase of error, popry, and prophanity, seeing besydes that they are but needlessly jealous of us in that thing, if any such sinfull inlake should fall out, our Brethren should not be accessorie to any guilt of that kynd, seeing they have access to testify against any remissnes in judicatories that way. But as for these other great disadvantages, we see not but the guilt of them in a great part shall lie at our Brethren's door, if so they shall promptly refuse to joyne with us upon our overtures because of the former feared inconvenience. Oh that the God of peace would

make our Brethren consider seriously of these things and touch their hearts with love to peace, that so this poore despysed Kirk might yet have her former beautie, liberty, and auctorite, for promoving whereof, if our endeavours shall have any success, it shall be accounted by us as a blessing from the Lord and the beginning of life from the dead ! But, if it please the Lord to say otherwayes, it shall be notwithstanding matter of much peace to us that God hath putt in our hearts to condescend so farr for peace sake, and that He hath given us some measure of resolution through the strength of Christ faithfully to stand in our stations and places to the preservation of these precious interests intrusted to us, and in whatsoever storme temptation or difficulty we may be brought by so doing through the continuance of our woeful differences and our Brethren's fomenting and mantaining them, to commend ourselves to Him of whose power, mercie, goodness, and faithfulness in the preservation of His ordinances, people, and servants in all their difficulties, as these who served in the generation before us. So we ourselves have had so large experience, that it were sinfull ongratitude in the least measure to disturb him.

This above written paper being agreed upon, the Committee resolving to dissolve seing their protesting Brethren had told that they would stay no longer in towne, did therefore desire Mr Andrew Ker their Clerk to cause transcrive this paper and delyver it to-morrow to Sir Arch. Johnstoun, and accordingly he did delyver it the said day being the 29th of November betwixt 11 and 12 before noon to Sir Arch. in his owne Chalmer. Yet the reply thereunto sent and delyvered to Mr Robert Douglas upon the 17th of December bears the date of the 29th November, which was the very day upon which our paper which it replyes to was delyvered to them.

[Tennor of this Reply follows.

The Protesters' Reply to our last paper of the 28th November which was delyvered to M^r Douglas upon the 17th December the said yeer

29 November 1655.

AS WEE are willing to give unto our Brethren the best testimony of ingenuitie and plaine dealing and of a peaceable inclination and condescendence that charity will allow, so we know no testimony of ours that gives them any just ground to inferre any prejudice against ourselves or advantage to them, as if we were the men of strife and they the men of peace. And if they meane to make use of our testimony that way, it is but to endeavour to extort from these testimonies what they will not confess. Wee did indeed express ourselves glad that in some things which concern persons and their libertie, our Brethren are come a greater length then heretofore, because, as it brings them from some things whereunto they did formerly stick with no less tenacitie of professions then they doe now hold fast the things which they refuse to conceive and doe require of us in order to union and peace, so did it give us and doth still give us some ground of hope that upon sober and serious consideration of these things they will yet show themselves more condescending then hithertill they have done. Wee doe not question but the result of our Brethren's conference and ours is a matter of greiff unto them, and will be so, no doubt, unto many dear unto God in this land; and we can with singleness of heart professe that it is so also unto us. Yea, doubtlesse, it is a thing for which all the Lord's Ministers and people in this Church have reason to roll themselves in the dust and to say, 'Is there no balme in Gilead, is there no physician there? Why then is not the health of the daughter of my people recovered?' But how farr this sad result can justlie be charged upon our declaring ourselves unsatisfied in conscience to transact such an union with our Brethren as would be the result of these concessions and demands which are propounded by them in their severall papers is the question?

And tho' our Brethren give sentence for themselves and doe condemne us, yet, as our owne consciences doe acquitt us, so we trust that the Lord doth not looke on it and judge of it as our Brethren doe, and that the generation of this people in the land will have farre contrary thoughts of this declaration of ours, and that they will no lesse bemoane that the prophets heale the hurt of the daughter of Zion slightly saying, 'Peace peace when there is no peace.' Then they will say, 'we lookt for peace and there is no good, and for a tyme of healing and behold trouble.' How our reasons and demands in ordour to peace should make the wound uncurable and the repairing of the breaches almost desperate, we doe not see. And as we can say that we did upon examination and in simplicitie of heart propound these things as the nearest way to peace and most probably inductive to the repairing of our breaches as things now stand, so we doe professe that whatsoever therein shall be demonstrated unto us not to contribute for peace, if our passing from it bring no prejudice unto trueth we shall be willing so to doe, and account it our mercie to acknowledge ourselves rash in propounding of it. But that it may appear that there is not so litle weight in those reasons upon which we doe reject our Brethren's Concessions, and that our demands are not inconsistent with either the order or peace of this Kirk, as our Brethren doe alledge, and that we are not the men upon whom the continuance and consequences of these woefull divisions ought to be fastened, we shall take in consideration these things which they have holden forth unto us as a supposed demonstration of the contrary :

Our Brethren for answering of the generall reason insinuated by us against all the concessions, to witt, that thereby no satisfaction is given anent those things which doe concerne the Kingdome of Jesus Christ and the worke and people of God in the land, doe appeale to their concessions themselves as they are explained in their Representation November 24th, as they conceive will give abundant testimony to the godlic, sober, and judicious,

how lawfully they are charged with the hazarding and casting loose of these great concernments. Wee shall not insist upon the ambiguitie of No SATISFACTION, albeit it was no expression of ours nor upon the distinction of the godly that is insinuated in their words SOBER AND JUDICIOUS. But if these concessions doe involve the standing of such things as have already in a great measure hazarded and casten loose the worke of God in the land, and a denyall of reacting the same in any tyme hereafter, how shall they not tend to the further hazarding and casting loose thereof for the tyme to come? And that they doe involve these things is manifest, because they doe involve the standing of the Publiek Resolutions and of the declarations and warnings and many of the acts that are the results thereof, which as they have been often demonstrated to infer the hazarding and casting loose the worke of God in the land, so hath sad experience given reall and sensible prooffe thereof and sett such a seale of the trueth of it upon the hearts of the godly generally throughout the land as is not like to be deleated in their dayes.

Our Brethren doe much mistake and misrepresent us, when they doe hold forth our desire of a Committee of equal number of both judgements as all the security demanded by us unto these great concernments of the Kingdome of Jesus Christ and of the worke and people of God. They doe verie well know that this is but one of many things which are contained in our overture, and that when we did renew this proposition in our last paper, we doe not hold it forth as that which will secure those great concernments, but in order to a probable way for purgeing of the House of God from insufficient and scandalous Ministers, and that by joynt acting in carrying on that most necessary and much desired work, mutuall confidence may be repaired and strengthened in the hearts of Brethren, and so a way be made unto a more firme union and peace upon such terms as will (as to meanes) secure the worke and people of God in the land from the hazards and prejudices that they have received from the

publict resolutions and the results thereof, or may receive from things of that kynd hereafter. And therefore our Brethren doe but please themselves in that which is not good unto edification, when they doe insinuate that by this demand we doe give unto all men ground to conceave that to our apprehension nothing can secure the Kingdome of Christ and the worke of God in the land except we ourselves be the plurality, at least, by having equality, have a negative voice in all questions that may occurre in all congregations, Presbyteries, and Synods of this Kirk, a wide conclusion to be drawne from our desyreing an equall number of both judgements in Committees to be appoynted by Synods, and to be countable to the Synods in the purgeing out of insufficient and scandalous Ministers and Elders, and such as doth rather savour of a desire to catch hold of the shaddow of anything, though never so farre fetched, that may load us with prejudice then of a purpose to take hold of our ingenuous and simple meaning in ordour to the joynt carrying on of that part of the worke of the Lord that concerns the purgeing of His House. That the keeping open the gappe of our division will prejudice the Kingdome of Christ in this land, we doe not deny; but whither it will more prejudge it than such an union which would be the result of our Brethren's concessions, we shall not much debate, because, as we are not the men who did make open that gappe, but have endeavoured, though in much weakness, to stand in the breach, and have never refused any safe measures of building it up, so doe wee not thinke it a way that is approven or would be blessed of God for us to transact an Union upon sinfull termes, whatever may be the seeming advantages thereof. And if our Brethren doe lay so much weight upon this consideration as they seeme to doe, by obtesting us so earnestly in the matter, wee thinke that it ought to persuade them seriously to consider whether the keeping open the gappe of the division will not much more prejudge the Kingdome of Jesus Christ in the land, than their condescending to transact an union with us upon the terms propounded in our overture. Is the

holding fast of the publie resolutions as the definitive sentence of this Kirk, of such importance to the Kingdome of Jesus Christ that they are able to countervalue all the prejudices that have accesssed and are like to accresse thereunto by our divisions? Our Brethren charge us with an inconsistencie betwixt our profession of zeale to the Kingdome of Christ and standing at so great a distance with them as now in the close to winde up the differences to such a height, even when they have left no means unassayed for attaining of peace with us. But we see no just ground for such a sad charge, and albeit we have otherwise a precious esteeme of many of our brethren, yet we desire them to remember that it is the same thing which was often charged by the prelates upon the servants of God in this land, who did oppose the introducing of Prelacie and of the ceremonies into this Church. They travelled much for union and peace, yet so as they did alwayes hold fast the foundation of Prelacie which they had layed, and when men from their tendernes and zeale to the Kingdome of Jesus Christ, could not be persuaded to an agreement upon the termes propounded by them, they charged them as wanting sincerity in their profession and as men of strife, who did hold up and heighten differences after all reasonable assayes and offers of peace, which charge diverse of our Brethren did then convincingly answer in such a way as, being impartially applied, will also vindicat us.

Before we reply to the answers which our Brethren hath given to these generall hints of the reasons of our dissatisfaction, wee desire to putt them in mynd, 1, That they have altogether waved these reasons which were given by us long agoe against our imbracing of the overture of the late contraverted Assemblie at Edinburgh, which is the same upon the matter with many things contained in their former papers (as we had expressed in our former paper, and seemes to be acknowledged to be so by their waving it in their answer), albeit we did relate to these reasones in our last paper unto them. 2, That they doe take no notice of our offer to conferr with them in a more

particular way upon the reasons propounded in our last paper. In their 1st answer to our first reason they doe alledge that we doe propound a new demand (to witt their not holding fast, but, in ordour to peace, passing from the constitution of the two contraverted Assemblies) not formerlie sought in the Conference, but rather expressly past from by us in our answers to their Queeres upon the 2^d article of our overture. But our Brethren would consider, 1, That our whole first reason is copulative, including not only their holding fast the constitution and authority of these Assemblies, but also of the publict resolutions as the definitive sentence of the judicatories of this Kirk, and their refusing not to react such things hereafter. And they doe not well to divide what we conjoyned. 2, Our former papers may put them in mynd that anything conceded by us in ordour to the constitution of those Assemblies, was upon the expresse condition of their granting of the first article of our overture, which they having denyed, it is groundlesse to say that we did passe from their not holding fast of the constitution of these Assemblies. 3, Our papers also testifie that we did always require that no such unwarrantable prelimitations as were put upon the election of Commissioners to these Assemblies, should be put upon the election of Commisioners to any future Assemblie, which hath never hithertills been granted by them.

Our Brethren take much paines in setting down of the reasons of their refusing to grant that the Acts of these Assemblies should be declared by them not to be the definitive sentence of this Kirk and of the judicatories thereof. In answering all of which and their distinctions thereabouts in particular, we conceave it needlesse to put either them or ourselves to trouble. Only we would have our Brethren to consider, 1, That such a declaration would by no necessitie of consequence inferre a doubt of the authority of these Assemblies which did establish them. Who knowes not that sundry Acts of judicatories are repealed from yeer to yeer without any reflection upon the constitution and authoritie of these judicatories ?

Nether would it by any necessary consequence inferre a strong presumption of either injustice or levitie in these judicatories, because these Acts might be repealed upon the same or the like grounds and reasons upon which they are willing to abrogat some of them, and to declare that none of them that concern the publick resolutions and the results thereof, shall be urged or made use of against us. And if this may be done without reflecting upon the constitution and authority of these Assemblies, or without begetting a strong presumption of either injustice or levitie in the publick judicatories, etc., wee would know of our Brethren why the other also may not be done without inferring of these things. Whither these consequences would be sinfull or not, we doe much question, but since our Brethren doe appeale to our consciences to judge whether they can in conscience condescend to such a desire, wee doe in sobrietie declare unto them that, as we judge that simplie and abstracting from their judgement, they ought in conscience to condescend to it because of the iniquitie of these resolutions and the acts resulting thereupon. So taking it in ordour to their judgement about these things, they may with als good conscience condescend thereunto, as they doe condescend to abrogate some of these acts, and that none of them should be urged or made use of against us. Albeit our Brethren have undertaken not to urge the publick resolutions, nor to alledge them against any of us, yet their holding fast these resolutions to be the definitive sentence of this Kirk doth exceedingly weaken their other concessions unto us, because it doth suppose and inferre not only the constitution and authority of these Assemblies, but also (in shew and appearance) the justice and equity of these resolutions and of the warnings and declarations, and acts and censures, that are in the results thereof, and so makes the concessions to be granted unto us upon grace and favour only. So farr as relates to the justice and equitie of the things themselves, though our Brethren, in ordour to peace, and as they speake in the present wocfull condition of this Kirk, may thinke themselves bound

to offer these things, what is this but as a prince offering pardon and forbearance (in regard of the execution of some of his laws) to a rebellious subject whom he is not able to suppress? And, therefore, our Brethren themselves grant that their concessions are favourable concessions. He hath a weake foundation to build upon, who hath nothing in justice and equity to hold by in the thing which he possesseth, but the most that he can clame to is some forbearance granted, or rather upon necessity extorted, from his adversarie who yet holds fast the justice and equity of the contrary and that confirmed by publict authority and law. What our Brethren's condescending not to react these resolutions in any tyme hereafter would inferre, we shall not now debate. It were happily their mercie and the land's mercie to take with the guilt of a fault in what is already past and would not bind them up from duety, but from sin, and would purchase commendation and respect and entertainment from magistrates and people walking by the ruile appoynted of God both at home and abroad. We cannot but here regrave that, as our Brethren did in their papers 1651, stirre up the magistrate against us, so they doe here droppe some things to the same purpose, whilst they say that the granting of our desires concerning the publict resolutions would make our religion hardly to be thought of, and harbour and protection to be denied unto it under any state. What is this but to say that harbour and protection should be granted unto us in no state, whilst we continue in that judgement and adhere to these desires? Is the excluding of knowne malignant and profane men, enemies to the worke and people of God, from the armies of the Lord's covenanted people appearing in the defence of His cause and of their country, so strange a tenet as our Brethren would here make it? Wee doe beleve that the Scriptures and our Church in the constant tenour of her doctrine before the tyme of the resolutions, doe otherwise determine and make it appear that such a resolution is so farr from preventing the hazard, and tending to the security of the people of God by holding out a lawfull and

necessary meane appoynted by God and nature for their defence, that it doth engage them in reall hazards and doth cast loose their security by putting a sword into the hands of their enemies, which is a thing forbidden of God and contrarie to the law of nature. That we are not bound up by this argument from opposing or testifying against such a resolution is much lesse than we doe desire, and, as we conceive, much lesse than ought to be granted. And what may be brought in under the last reserve of whatsoever may be the judgement of the judicatories anent our actings of that kynd, wee will not now debate.

Upon our Brethren's answer to our 2^d reason, we would know why they may not alswell consent to grant us liberty to make use of our protestations in future Assemblies for the annulling of these late Assemblies, as they doe consent to grant us liberty to make use of these protestations for ranversing of the Acts of these Assemblies, that doe concerne these publie resolutions. Do they not judge that these Acts are just and lawfull, alswell as they judge these Assemblies to be free and lawfull? Next, albeit we doe earnestly wish that our Brethren should change their mynd and repent, yet, if they would surcease from carying on that course, defection, and persecution that accompanies the publie resolutions, and give any probable security against the same for the tyme to come, we should, reserving the use of other meanes, leave this unto God and to their owne consciences, without pursuing them or any of them as scandalous or unworthy to sitt in any future Generall Assemblie upon this account. Neither is there anything, so farre as we know, hithertills asserted by us to the contrarie. That the engaging not to prosecute our protestations would with our consent establish the constitution and authority of these Assemblies, is manifest, because it would with our consent take out of the way all the legall barre that stands against that constitution and authority.

Our Brethren in answering our third reason, doe take only a part thereof, to witt, that which concernes the 2^d proposition of our overture, whereas we have always

joyned the granting of the first and second proposition together, for making of sufficient provision for the right constitution of future Generall Assemblies. And even in answering that part which they medle with, they do never answer this, that they doe not condescend that no such unwarrantable prelimitations as were putt upon the election of Commissioners to these two contraverted Assemblies, shall be putt upon the election of Commissioners to any future Generall Assembly; and, therefore, whilst they doe deny the first article of our overture, and hold forth and assert that these prelimitations were not unwarrantable, and doe adhere unto the constitution and Acts of these Assemblies, there is no sufficient provision made for the constitution of future Assemblies.

In answering of our fourth reason they seeme to be much displeased because of our alleadging that the pluralitie in judicatories to whom they would have the worke of purging referred, have given more than probable evidence of their aversenes from this necessarie worke, and upon occasion of this holds us forth as liberall aspersers of the judicatories of the Kirk as corrupt, etc., and will have us such men as do propound to ourselves no other end in venting of these things, but the instilling into people apprehensions of the necessity of setting up a new way formerly not heard of in this Kirk, of guyding all things by committees of an equall number of different judgements. To say nothing that it is no proposall of ours that such committees with such extent of power should be in the Church (and it is but east upon us by our Brethren without ground) neither yet to say anything of our intentions and ends in desireing a committee of equall number of both judgements to be appoynted by everie Synod for purging out of insufficient and scandalous Ministers and Elders within the bounds of the Synod, and in their proceedings to be comptable to the Synod itself, and in the desireing of such a committee for consultation for composing of differences in Presbyteries and Congregations in an amicable way, these intentions and ends being best knowne to God and to our owne consciences who wee

trust do not condemne us therein, wee would aske our Brethren, 1, If the plurality in judicatories be not averse from that necessarie worke of purging, how it comes to passe that little or nothing hath been done therein by them these fyve yeeres past? We know that it is their usual retreat in answering of this, to say that the power and authority of judicatories is broken by us; but as that is not true in itself, so it is no sufficient answer to discerning men, not only because they have not been wanting in many places with a great deale of fervour and zeale these five yeres past to put forth their power and authority against Ministers and Elders of our judgement; and for keeping of able and godly expectants of our judgement out of the Ministerie, but also because they have all this while, for anything wee know or can hear, entered in processe with almost none, or, sure wee are, verie few of their owne judgement, neither can they alleadge that any of them have declyned their authoritie or not submitted thereunto. 2, If the plurality be not averse fra this worke, how comes it to passe that they are so forward in the bringing in of those who were formerly purged out, yea some that were not only deposed, but excommunicated by warrant from the Generall Assembly? Doe not our Brethren know that there is a great deale of forwardnes kythed in this poynt in most part of the Synods throughout the land, and that in such a way as wee doe beleewe sundry godly men amongst our Brethren doe not approve of? 3, How comes it to passe that what was formerly done in the worke of purging is so frequently condemned both in private and publict discourses?

As to the things propounded by our Brethren for rubbing off those things which they call aspersions, in so farre as they reflect upon the bulk of the Ministerie and the pluralitie in judicatories, we answer, 1, That our Brethren doe verie well know that the visitation of Kirks hath these yeeres past been verie unfrequent and much slighted throughout all the pairts of the countrey. 2, That Synods make it not their worke at the tryell of their severall Presbytries to hear particular informations and

accusations against particular Brethren, but confyne themselves for most part to the tryell of the Presbytrie books. 3, There be many Presbyteries in which there are none of our judgement. 4, Wee can instance to our Brethren where and when just ground of challenge has been offered in Presbyteries and Synods against particular members, and they have refused to take it in consideration, or have shifted and delayed and some tyme have obstructed and hindered their tryell and censure, as in the case of Mr James Chalmers, Mr William Davidstone, Mr Arthur Forbes, Mr Robert Blair of Alvay, in the Synod of Aberdeen, and in the case of Mr Alexander Ireland, late Moderatour of the Synod of Perth, with many other instances of complaints that have been made in Presbyteries and Synods without any redress, which we should willingly take paines to make more publick, if we thought that it would be for edification, and if any reall ground of hope were given us to expect a remedy of our just greivances in this matter. We shall only adde this for the present that our Brethren may know enough of this without inquiring at us. If they please, they will find no great difficulty to discover how averse the Synod of Mersse and Teviotdail hath been to give satisfaction to complaints of this kynd; and wee suppose it is beyond question with diverse of our Brethren that, to say no worse, there is a verie weake affection to the worke of purgeing out of the Church scandalous and insufficient Ministers and Elders in the plurality of the Synods of Angus and Mernes, Argyle, Murray, Ross, Caithnes, Orkney and Zetland. 5, Our Brethren cannot be ignorant how many just greivances and complaints have been offered by us a good while agoe in our severall representations to the severall Synods, which yet hath not been taken in consideration nor received any answer. To what purpose then should we wearie ourselves with repeating of and adding unto these things?

Next that which our Brethren assert of the removing of so many scandalous and unprofitable men in all the corners of the land within these few yeeres, and of planting

many able and gracious young men in their rounes, doth not, as they would have it, inferre that this corruption of the judicatories is unprobable. And that, 1, Because few or none have been removed these last five yeeres past ; and how much corruption may grow in such a tract of tyme, experience hath often taught both in this and other Churches. 2, Because many of these who were formerly removed, are within these fyve yeires brought in againe. 3, Because the last lawfull Generall Assembly of this Kirk, to witt, the Assembly 1650, did from the knowledge which they had of the corruptions which were then amongst the Ministerie notwithstanding of any purging that had been, find it necessary to appoint visitations throughout the severall parts of the country, and that over many whole Synods, for purging out of insufficient and scandalous Ministers, for which they would have had no sufficient reason, if they had conceaved that Synods and Presbytries were able and willing to doe these things of and by themselves, which committes for visitation by reason of the troubles in the country did never meet. And will our Brethren say that insufficient and scandalous Ministers are fewer now then they were in the yeer 1650 ? 4, Our Brethren cannot bot remember that the visitations which were appoynted by the Assemblies 1648 and 1649 did leave much of their worke undone, and that they did so report unto the following Assemblies, and that this was one of the grounds upon which the Assembly 1650 did thinke fitt to renue the visitations even in those bounds which had been formerly visited. And for these able and gracious young men who have been planted, we cannot but regrave that not many such have been planted by these of our Brethren's judgement since the year 1650, and that they have made verie great opposition in manie places unto those whom we have endeavoured to plant.

As for the election of the Commissioners to Assemblies consisting of the same or of the like persons as is alledged, our protestation against the pretended Assembly at Edinburgh in the 2 and 3 page, sheweth at large how a corrupt partie of Ministers, lyeing darned during the tyme of our

reformation, hes now discovered and strengthened themselves by the publiet resolutions, by insnaring of uthers, bringing in these that was purged out, planting sundry corrupt men, sending to the late Assemblies these who before did not appear. And as for condescending upon the particular persons and scandalls, together with the presumptions and evidences of their guiltines, and delateing them to their severall respective judicatories, to which our Brethren doe urge and obtest us, it is much equivalent upon the matter to that which was moved to the Commission of the Generall Assembly and to the Generall Assembly itself, by the Parliament in the yeere 1648, and when they did cary on the unlawfull engagement against England upon the Commission and the Assemblie their desireing that none might be intrusted but such against whom there was no just ground of exception or cause of jealousye. And for the thing itself, we shall shew ourselves verie willing so to doe, when our Brethren shall give us probable grounds of assurance that we shall not losse our labour, by their giving satisfaction to the greevances already represented by us to the severall Synods, and by their bestirring of themselves actively by themselves in purgeing out of those of whose insufficiency and scandalls they cannot but easily without us attaine presumptions and evidences, if they putt foorth any tolerable measure of diligence thereanent. If they know it to be true, which they assert, that there may be and doubtless are insufficient and scandalous Ministers of both judgements, then may they, though we should be silent as to condescending upon particular persons and scandals, have work for a while by proceeding against those of their owne judgement who doe not declyne their authority; and when they have given evidence of their faithfulness and zeal in this, we may probably finde them more worke of that nature afterwards; and wee doe assure them that we shall be so farre from sheltering any insufficient and scandalous Ministers or Elders of our judgement, that, as we shall carefully search where such can be found, and shall be glad to have them discovered and made knowne

to us, so shall we be most willing and ready to our power to endeavour the removing of them.

As to the poynt of subordination and submission, wee doe not see how that which is required by our Brethren is no other then what is established by the Generall Assemblies of this Kirk because they doe require such a declaration of subjection and submission to the sentences of the judicatories of this Kirk as hath not hithertills been established by the uncontraverted Assemblies thereof, to witt, that which doth import alike submission to sentences, whether just or unjust, of corrupt or uncorrupt judicatories, and doth exclude declinatures and contrary actings in everie cause, which could not but probably putt the people of God in a worse condition then heretofore, because it would take away from them the use of lawfull remedies and is contrary to the practise of the Apostles in 4 and 5 Acts, and to the practise of our forefathers in the tyme of former defections. The reasons of the declarations of the Assemblie 1647 holds alswell in *Corrupta Ecclesia reformanda* as in *Ecclesia constituenda*, especially when a previous generall implicit submission after such differences is required from the one partie, and that to the uther partie to be their judge, and the 32 proposition that is mentioned and whereunto the 7th head of the Act of Assembly relates, holdeth out the differences that is between us.

To our Brethren's generall observations upon that part of our overture resumed in our last paper, we answer, 1, That that is no new Overture, as our Brethren seeme to hint, but a part of the Overture formerly propounded by us when our conference did first beginne. 2, Upon supposall that it were a new Overture, are we justly to be blamed because, after that we had perfectly discovered by so many dayes interchanging of papers and conference, that our Brethren would not condescend to the particulars contained in our first Overture, we did upon the consideration of the whole bussinesse, as things then stood, propound unto them the best way that did occurre unto us for bringing them and us to some better understanding

then formerly ? 3, Though we did not offer this as an Overture whereupon to ground a present union in all things, yet we did offer it as an Overture for uniting us with our Brethren in all common and uncontraverted dueties, and for making way to our union in other things about which wee differ. And for these inferences which our Brethren make of our judging them not to be in a capacity for joyning with us, etc., they doe but please themselves therein and not touch us. 4, Our Brethren may call these Overtures either concessions or demands as they thinke fitt. We love not to stryve about words, but we wonder that they should say that we doe condescend to nothing. Are we not willing that all differences in Presbytries and congregations should be accorded by an equall number of both judgements in an amicable way, and are wee not willing to abstract from censures in the matters that concerne publick differences ? Have we required as a necessarie condition without which we will not unite, that our Brethren should repent of their judgement and things that doe relate to the publick resolutions ? Are wee not willing upon their granting of this last part of our former paper to lay aside the Commission 1650, which upon our part is a greater condescention then anything they have yeilded unto, and are not these of our number who approve of the ordinance willing also to condescend to lay it asyde upon our Brethren's granting that last part of our former paper ? These things, being joyned together, will amount to more then all that is condescended unto by our Brethren, which is but a forbearance or tolleration in the things wherein we differ from them, though yet we judge that equall condescentions in things religious amongst persons or parties that differ thereanent is not a very commendable or approven reule. Albeit our Brethren are pleased to load us with it, yet they have it not from us that we will subject ourselves to the determinations of judicatories no farder then we thinke fitt. Wee are willing to subject ourselves to all the just sentences of the lawfull Assemblies of this Kirk, and if the case were only of a few particuar persons in things of more

private interest and personall concernment, and of judicatories imploying their power to edification in the current of their actings, we should not much contend about it. But when it is of a great number of godly Ministers and Elders and professours throughout the land, who doe desire to stand in the breach and to oppose the present cause of defection and of judicatories the plurality whereof in many places do not act unto edification and for promoting the power of godlines, but to the contrary, it alters the case. Whereas our Brethren desire to know whither we doe not already joyne with them in all common and uncontraverted dueties, wee answer that we doe joyne with them in all common and uncontraverted dueties where they themselves will permitt it, but in sundry places they doe refuse to joyne with sundry of us or to admitt us to joyne with them in these dueties. As for their question what then is gained by our union upon this Overture, wee answer, 1, That thereby the scandall of our publick seen rent and division will be in some good measure removed amongst the people, when they shall see all of us acting jointlie in Presbytries and Synods. 2, It will somewhat satisfie and quyet the godly in the land who are dissatisfied with the publick resolutions and the results thereof, when they shall see censures upon that account that are past, made voyd and none to be inflicted for the future, and, through the Lord's blessing, may make way for a further union amongst us. 3, It will take out of the way those barres that keep many able and godly young men from entering into the Ministerie, and that keepe many able and godlie men from sitting as Elders in Presbytries and Synods. 4, It will put us upon a joynt and harmonious way for purgeing of the kirk.

As to the liberty which we reserve of our judgement and practise, our Brethren need not to be anxious about the meaning of it. They know we doe reserve no more unto ourselves than we leave unto them concerning their judgement and practise, and, therefore, they, being the plurality, have a great advantage of us in this respect; and for their conceptions and apprehensions thereof and

of the consequents that will follow upon it, it were a very easie matter for us to charge them justly with heavier things then they doe unjustly impute unto us. But this not being our present worke, those of our number whom these things doe concerne, having long before now sufficiently vindicated themselves in the particulars which they doe here heape together with a great deale of aggravation, wee shall not trouble ourselves further therewith. Tho' our Brethren say that they see no such thing in our Overture, yet we have layed doune a probable way for determining contraversies about the plantation of Ministers whose call and gifts are questioned, or contrary plantations. If their gifts be questioned, they will fall within the compasse of the tryell and censure of the Committee appoynted for the purging out of insufficient and scandalous Ministers; and for these whose call only is questioned and for contrary plantations, we know not a more probable way for composing of these things for the present than that which is propounded by us in our last paper. They may remember that some of best judgement amongst themselves, did in our conference say that they thought that might be easily done in the way that is propounded.

To their particular answers to our particular desire we reply, 1, That we doe not require of them to make censures voyd farder than is possible for them to doe, that is, that they themselves should as to themselves condescend to the making of them voyd, and that they will endeavour with Synods and with the Generall Assemblie, how soone it sall sitt, to doe so. Likewise we know what they have done anent Ministers deposed by uncontraverted Assemblies, and that without their repentance for uncontraverted faults, and we cannot thinke that upon second thoughts our Brethren will assert this to be a thing so impossible; otherwise wee cannot see what ground of confidence we can have in those things offered by them, wherein they have come a greater length than is contained in the Overture of their last Assembly at Edinburgh.

As to our 2^d demand we conceave that phrase of ab-

stracting from censures upon anything that concerns the late differences, to be clear enough. Where censures are abstracted from, how shall they be proceeded unto? But, leaving this, we desire to take into consideration the reasons given by our Brethren why they cannot condescend to Committees consisting of an equall number of both judgements. Their 1st reason is because this is impossible in some Synods where there are few or none of our judgement. To which we answer that in these Synods, if any such be, we are content the defect be supplied by adding more men of their judgement to be nominated by us. Their second reason is taken from a most absurd prelimitation of Synods, which, as they alleadge, this way would inferre. But how this would be an absurd prelimitation, let be a most absurd prelimitation, wee doe not see, all the persons nominated being such as are actuall members of the Synod and judged worthie to sitt therein upon the cognizance and determination of all things that comes before the Synod. The only reason of the Synods' nameing of them, is not, as our Brethren doe alleadge, because they are of our judgement, how unqualified soever they may be for such a trust and imployment. There be other weighty reasons besides that, which may be obvious from the papers that have already past betwixt them and us; and we are willing to give them no less assurance and confidence that no man of our judgement who is unqualified for that trust and imployment shall be named for it, than they are to give unto us or we doe require of them concerning these of their judgement. We wonder how our Brethren should say that this would put us in the possession of a negative voyce in these matters of greatest concernment over the whole Church, so that nothing could be acted without us, seing we are content that everie ane of these Committees should be countable to their owne Synods, and that they are the plurality in the most part of Synods. And we doe also wonder how they should say that our number for the present is very inconsiderable in the judicatories of the Kirk. Whatever we be in other respects, yet, if they

make a right reckoning, they will find that it is not so neither, would this way be ineffectual as to the end. Wee know no reason why they should suppose that these Committees would equallie divide. Doe they thinke that men of their judgement and of ours cannot probably be of one accord in anything that concerns the purging out of insufficient and scandalous Ministers, even where the procedure and tryell is to be upon nothing that concerns our differences? If it be so, they must either have a resolution to nominate all such Committees, as they doe accord unto to be nominated in Synods, of men who are only of their owne judgement, or else that these of their owne judgement in these Committees, being the plurality, shall proceed in such a way as these of our judgement therein, being the fewer number, shall all of them differ and dissent from it.

Their fyft reason is that it were a way most factious, tending inevitably to the perpetuating of our differences and heightening of animosities. If such a way be justly loaded with so hudge and mighty imputations, surely many wise and good men in this and former generations have showne themselves factious and foolish, for such a way they have frequently fallen upon in cases like to that wherein we and our Brethren doe now stand. But leaving that, why should all these things be supposed to follow upon such a way, seeing there is nothing that concerns differences to come in debate in these Committees? May we not more justly say that the way propounded by our Brethren, which will no doubt make these of their judgement be the pluralitie and farr greater part in these Committees, will produce the effect which we exprest in our last paper?

Their 6th reason is much the same with the 2^d, and we add no further in answer to it, but only desire to know how the Synods' authorizing of their owne members in such a way as to have them accountable to themselves in all their proceedings, is an enslaving of the Synod. Their reason is grounded upon the denyell of that corruption which we alleadge to be in the judicatories of this Kirk.

This injustice of which alledgance is not yet made to appeare from anything brought by them to the contrary, though this be not the only reason of our propounding of that desire, there being another maine reason besides that, to witt, our present differences and divisions. Next they doe argue from the hazard and danger of the preparative that it would infer, to the destroying of all Government civill or ecclesiastick. But that is also easilly denied, as it is asserted, yea, and upon much better reason denied than asserted, because the Synods are denied to name none but their owne members, and to give them no power but with subordination and being comptable to themselves, and because it is not desired in everie case, but only in the case of our present distracted and divided condition and of the corruptions of the Ministerie which are no naked pretences, but a thing that is a reall and sad trueth. As to the last branch of the reason if our Brethren fear that upon the same pretence of corruption these of our judgement in these Committees may declyne the judicatorie that gives them power and usurpe the power of that Committee dureing their pleasure, it is but groundless jealousie and fear against which Synods may sufficiently provyde if they shall see cause.

As to what they represent upon our 3^d demand, as they call it, wee answer, 1, That their reasons against an equall number are already replied unto. 2, Wee deny that clause of Synods not reversing the deeds of particular Committees doth import power or authority, because it doth not at all bind the Synods to follow their advyce, and the most that it amounts to is that in cases questioned betwixt the Committee and the Synod they shall first hear their advyce, before they doe reverse the deeds of the Committee, which is nether to deprive the Synod of her liberty, nor yet to keep them from cognosing of and determining in the proceedings of their Committees; and what is brought by our Brethren doth not prove either the one or the other, unless we would suppose, as our Brethren doe both in this place and in other places of their paper, that an equal number of both judgements will

accord upon nothing, which is in effect a verie groundlesse and uncharitable supposition.

Having now vindicated our reasons brought against our Brethren's concessions, and answered the things alledged by them proving the inconsistency of our demands (as they call them) either with peace or ordour in this Kirk, we doe upon the same grounds of exhortation brought by themselves, earnestly beseech them to consider yet more seriously of our desires propounded in our Overture unto them, and to give us satisfaction thereanent. Wee take the God of peace and trueth to witnesse that so farre as we have obtained mercie to know ourselves it is not for holding up any interest of ours, much less for holding up of contention and division, that we doe not accept of our Brethren's concessions and condescend unto the things which they doe require of us. And if in this we doe mistake, as we pray the Lord to reveal it unto us if it be so, so we hope that we shall not be found to detaine the trueth of God in unrighteousnesse, when He shall be pleased to discover it. But we are persuaded that we doe hold fast the things which we have received, and whereof both our Brethren and wee did for many yeares together make joynt and unanimous profession before many witnesses. And these things are, as we conceive, founded upon the Scriptures of trueth, and are agreeable unto the constant tenour of the doctrine of this Church and to the Acts of the Generall Assemblies thereof, and to the National Covenant, Solemne League and Covenant, and to the solemne publick confessions of sinners and engagements unto dueties; from which things if our Brethren have in any measure departed, and opened a gappe to a course of defection and persecution, and will rather choyse to keep up our divisions than to recede from those things which were the cause thereof, and to return where they once were, wee can but lament it before the Lord, and desire to wait patiently upon Himselfe, and to be led in the way of His trueth notwithstanding of any reproaches or difficulties that we shall meet with in so doing. In the meanwhile, if anything that we can

say could have weight with our Brethren, we would desire them to consider, 1, Whether the publick resolutions or any branch thereof hath been blest of God unto this Church and Nation, or whether may wee not read the visible character of his indignation written upon all these things. 2, Wee would desire them to consider whether under the shaddow of these resolutions, profanitie and malignancie and enimitie and opposition to godlines hath not growne to such a height as was not to be seene in our land, no, not in the days of the prelates. 3, Whether their passing from these resolutions as the definitive sentence of this Kirk would indeed be a reall prejudice to the Kingdome of Jesus Christ and to the power of godlines, or would be any real ground of stumbling and offence to the consciences of the godly throughout the land. 4, We would desire such of our Brethren of whom we have a more precious esteeme for their ability and godlines and for what they have done in the work of the Lord, to consider well whether it be probable that the House of God in this land would be purged from insufficient and scandalous Ministers in most places by Presbyteries and Synods, as they now are. Sure wee are that before the beginning of our differences, these our worthie Brethren had no such expectation nor confidence, and therefore they were arranged amongst the most forward for perswading the Generall Assemblie to appoint and authorize men nominated by the Assemblie itself for docing of the worke. And is there anything now to be found in most part of Presbyteries and Synods, that gives them more reall cause of a weell grounded expectation that way, than they had before? And we would also desire these our Brethren to consider that the men whom they did once know and acknowledge to be newtrall and indifferent or backward and untoward in the worke of the Lord, and none of the fittest to preach the Gospell, nor none of the best friends to those that desire to live godlie, are but the same that they were before, if not something worse, and that, if they were not a little covered and strengthened by being joyned in one way with these our Brethren who

were once als unsavoury to them as we are now, the House of the Lord would sooner be rid of such as doe not deserve a place therein.

A Letter to the L. Broghill, President of the Councill

RIGHT HONOURABLE,—Being informed that some Ministers and others are endeavouring by secret suggestions and insinuations with the Councill, to obtain a power or liberty for erecting some Commissions, and particularly that for publict affairs which they pretend to have from the Generall Assembly 1650, though they be long since expired. As we thinke it not strange that they should use all means to trample upon this Church, who have now for so long a tyme engaged themselves in courses of schisme (formerly unheard of amongst us) for advancing themselves into power over their Brethren, so we hope it will be friendly considered that what they desire is destructive to all church government and order, and openeth a doore to all confusion, for hereby, not only doe they usurp a negative judgement over the Generall Assemblies which have mett according to former appointments since the expyreing of that Commission, and over the generalitie of the Presbytries who have owned these Assemblies by delegating their Commissioners thereunto, but over that same Commission itself, the members whereof (excepting a few of their way) did at the Assembly 1651 deliver up the Commission, and give an account of their proceedings in prosecution thereof. Not to say, that some of these members themselves did for a tyme sitt and voice and act in that Assembly till they saw it for their interest to decline it. And if now, after so many yeeres' intermission of the exercise of that power, for anything scene or knowne to the Church) they sall sett it up over all the judicatories, Ministers, and Professors of this Church, when yet they have no authentick coppie of their Commission, and so can neither know their members or quorum, or what power is intrusted to them. Wee

shall have cause to regrat that our ease is sadder than under prelates who were by law bound to give an account to the Generall Assemblie of their proceedings from yeir to yeir ; whereas these men, as they have already declined some Assemblies, so they may, as long as they please, refuse to give an account to any judicatorie this Church shall appoint, till they gett one wherewith they will be pleased, and shall lead a preparative for anie pairty (even among themselves) to sett themselves in power over all the rest, if so be they please to pass a sentence in their owne favours, admitting none over them to judge them.

We are also sensible that the Ministers of this Church are utterly ignorant of these their endeavours, who would not faill for exoneration of their owne consciences to testifie against them, so that we as private men can doe nothing as to the remedy of this sadd greivance, but complaine to God of their bitter and implacable spirit against their mother Church, and bear witness against the same in our stations as a greivous burden to this Church, both Ministers and people. Onlie we have made bold to present our resentment thereof to your Lordship for our owne exoneration thereof in the matter. And for removing of all prejudices that may be suggested against the Ministerie of this Church or ourselves, wee doe in their and our owne names declare, that our witness is on high, that it is not upon any private interest or to keep or sett ourselves in Church power, that we doe oppose their courses, but only to preserve inviolable these blessed priviledges and liberties under the want whereof the godly so much groaned in the times of prelates, and which the Lord hath restored unto us after so much toile and trouble, and to have Church government running in its right channell according to the Word of God, as it is established by law amongst us, that the Lord's people may under it make progress in godlines and honesty, who are so much shaken and tempted to atheisme, prophanity, errour, yea, and Poperie itselfe, by reason of the insolent disorders and

actings of these who crie themselves up as the eminent professors of piety. Wee are not ignorant that it is frequently suggested by them how the judicatories of this Church do persecute them, and are utterly averse from any purging of the Church by casting out scandalous and insufficient Ministers and Elders, and that therefore they are necessitat to seek power for their owne preservation and for the good of the Church. But (to say nothing how unjust their generall criminations against the Ministers and Elders of this Church are, and how little warrant they have for these courses of theirs, being but a few private men, were the case as they suppose), wee hope it is clear to all impartiall observers that never were such courses borne with so much moderation, as hath been shewed toward them in their wayes. And we can upon convincing grounds make it appear that the obstructing of the work of purging of God's House doeth not lye at our door, who have offered all rationall satisfaction to them in that particular upon an union, and who (as formerly hath been our practise so yet) resolve to employ any power we have by ourselves for that end in so farr as may tend to edification. It is to be charged upon them, who by their divisions have weakened the authority of judicatories and blunted the edge of discipline, so that we cannot make much progress as we would.

Wee do crave pardon for interrupting your Lordship with this tedious narrative of our sadd case, which floweth from the sense we have of duety to God and His Church, our mother, and our obligation to inform your Lordship that nothing may be done to the ruine of this Church while none of these who are concerned know of it, and that our Covenanted Reformation be not overturned to satisfie the will of a few. Hitherto it hath been professed that there would be no interposing in the matter of our differences amongst ourselves; and therefore we cannot expect that by yeelding to their desire the contraversie shall be decyded, the Assemblies and generality of Presbyteries condemned as null and erring, and they justified

in their opinions and practises, and emboldened yet further to turne this Church into confusion and disorder. All which we humbly recommend to your Lordship's favourable care, and are, my Lord, your Lordship's humble servants in Christ,

Edinburgh, *January 30, 1656.*

Mr D. DICKSON.

Mr R. DOUGLAS.

Direct to

Mr GIB: HUTCHESON.

The Right Honourable The Lord Broghill,
Lord President of the Council.

Some Reasons why the Power of the Commission
1650 cannot now stand in force, given to the
Lord President with the Letter above written

It hath been a practice of the Generall Assemblie of this Kirk (which mett once a yeere) to appoint Commissions with power in matters committed to them, which were countable unto and censureable by the next ensuing Generall Assembly indicted to meet the yeare immediately following; unto which tyme and no longer the power of the Commissions did continue, and at which time they did expire. According to this practice the Generall Assembly at Edinburgh 1650 appointed some Commissions which are by some desired to be countenanced in the exercise of the power then committed, the absurdity of which desire may easily be perceived by these and the like considerations:—

1. These Commissions were then given with an express provision (as the use was) of being countable unto and censurable by the next following Generall Assemblie appointed to convene at St Andrews in July 1651, at which time and place the Assemblie mett, and therefore the Commissions which were given expressly to that time did really expire. It is inconsystent with the principles of right reason that a power delegat and derived should be in force beyond the time within which it is limited by the primitive power whereby it was commissionat.

2. The farr greater part of the members of the Commission for publick affaires (which was the only Commission had sitten in that intervall), with the Moderator and Clerk of their meeting, did give up their Commission and the records of their proceedings unto the Assembly 1651, to be by them considered and examined, which after due triall were approven, and they exonerated of that trust. And they who pretend unto and petition for liberty to exercise that expired power are the farr lesse number, scarce one of three. Is it allowable in the meaning of publick affairs that these who are the fewer by farr in a Committee shall continue to act by the power committed to them after that the time limited in their Commission is past, and the farr greater part of the Committee have given an account of their trust, and all are obliged by the expresse words of their Commission not to exercise any power after their time is expired, which the Committers have appointed ?

3. The Assembly at St Andrews and Dundie 1651, and the Assemblie at Edinburgh 1652, did appoint new Commissions for the affaires of the Kirk, which evidently evinceth that they did account the former Commissions to be, as they were indeed, expired and exauctorated. When a civill power that hath appointed Committees with power in particulars committed to them unto such a terme, doeth at that terme appoint new Committees, would it be well taken that old Committees out of date should take upon them to act after that new Committees have been appointed once and againe ?

4. Though the Assemblie 1652 appointed a Commission about ecclesiastick affaires that concerned this Kirk in common, yet the members thereof cannot, nether dare they (being convinced in their conscience it were an usurpation upon their part over the House of God) cloth themselves with the power of that Commission which lasted only to the meeting of the next Assemblie at Edinburgh 1653, because the Commissioners to the said Assemblie mett at the time and place appointed, though they were not permitted to sitt for examining the Commis-

sions of the former Assemblie and appointing new Commissions. It is an unparalleled usurpation then, for a few members of the Commission 1650 to pretend unto a power of acting upon a Commission expired four yeares agoe, after the sitting of two Assemblies and the meeting of a third which was not permitted to sitt.

5. It seemeth of presumption and of proceeding after a meer arbitrarie manner, for men to pretend unto acting upon a Commission whereof they have not an authentick copie, nor never had, and therefore cannot know the nature or desyre of their power nor the number of the Commissioners, whether formall, how many they are, or materiall, who the persons are, neither yet the number of the Quorum. But all these things must be measured by the standard of their owne arbitrement, what power they please to assume, what persones they please to associate, what Quorum they please to approve. Everie one seeth with how many intollerable inconveniences this practice is accompanied in the Kirk, and would be attended, if it should prove a leading case in the state.

6. To countenance the exercise of the expyred power of the Commissions 1650 doth countenance the introduction of a perpetuall prelacie of some few persons over the whole Kirk, for so long as they are pleased to decline the authority of the Assemblies to which they are countable, their power doth continue (as they take for granted), and so long they will decline as they thinke they have cause to feare they shall be censured for their misdemeanours and usurpations; and when they are out of the feare of that, they are sure their power will be continued with them. How dangerous this hath been and will be in the Kirk, we know; and these who are concerned may consider of what dangerous influence this unsound principle actively managed may prove to the disturbance of any settled state, that they who are in Commission from them may keep up their power so long as they please to decline those by whom they are commissionat, out of a pretense that they have corrupted their wayes, and out

of a feare that they themselves shall incurre censure for their miscariages.

7. The giving way unto the exercise of that expired power doth enervate the power of the ordinarie judicatures of the Kirk, by giving a patterne and precedent for any that have a commission from them, to decline them as corrupt, and to continue acting upon an expired power without giving accompt to their respective judicatures. And what dangerous consequences may this draw, if men, following examples, should doe so by any ordinary judicatures who intrust them with a commission, and colour their practices with the specious pretences of the corruption of the ordinarie judicatures, and of their owne acting for the publick good.

8. The countenancing of these Commissions that are long since out of date, and pretended unto by persons that have rent the unity of this Kirk, and rendered the authority of kirk judicatures contemptible, will be most greevous to the body of the Ministerie and people of the land, who, out of the conscience of their duety to endeavour the preservation of the established discipline of this Kirk, and abhorrencie from anie course of usurpation to the prejudice thereof, will testifie their detestation of that unheard of practice, and rather undergoe the hardest of sufferings than subject themselves to such prelaticall arrogancies. Ministers, being bound in conscience, will publickly and plainly warne their people to beware of these encroachments, and the consciences of people will be burthened and ensnared by the violent practices of these men that love the preeminence among the Brethren. Wee are confident men of pitie and compassion will be loath to minister a cause of greefe to the whole bodie of the ministerie and people of the land, in a matter wherein they are touched in conscience, by countenancing a practice, the like whereof wes never heard of in this Kirk since the first reformation untill those times.

Petition to the Councill, February 1656

Meeting of some Brethren in February 1656 appointed this Petition to be presented to the Councill.

To his Highnesse Council in Scotland for the government thereof. The humble Petition of some Ministers of the Gospell mett at Edinburgh. Sheweth—

That whereas through the mercie and good hand of the Lord the Government and discipline of this Kirk being settled according to the Word of God and established by the Lawes of the Nation, did goe on in a constant and uninterrupted course and exercise in the severall judicatures thereof, whereby as a speciall means appointed and blessed of God the trueth of doctrine and puritie of worship were preserved, errour, superstition, and profainnes in whatsoever persons suppressed and censured. Now of late the actings of many of the faithfull Ministers of the Gospell in the exercise of their calling being misrepresented, and the meetings of some of the judicatures thereupon interrupted, the authoritie of all have been much vilified by the divisive and irregular practises of some amongst ourselves refusing to acknowledge the judicatures of the Kirk, traduceing and slandering them as altogether or for the most part corrupt and not favouring but opposing piety, intruding men into the ministry upon many congregations throughout the land against the will and choyse of the whole people, at least the farr greater part and generality of them, and not only without the due trialls, approbation, and ordination of the respective Presbytries, but also against their mynd; and then by sinistrous suggestions procureing the civill power to maintaine such disorders and persons so intruded into the ministerie; continueing and hightening woefull divisions and rents in the Kirk after all possible condescensione hath been offered to them for gaining them to an union and conjunction with their Brethren and the judicatures of the Kirk; by which meanes it is come to passe that the edge of discipline hath been blunted, the authority of

Kirk government rendered of non-effect and exposed to be contemned by everie one that pleaseth to follow their example, the purging out of scandalous and insufficient Ministers and Elders (though it hath been our earnest desire and shall be our honest endeavour to proceed therein in an orderly way without partiality) hath been exceedingly impeded, and many errours, Popery itself not excepted, superstition, and profannes darre to sett up their heads, and doe much encrease, everie one who lists presuming to doe what seemeth good in his owne eyes. And yet further some of these amongst ourselves, ministers and others joyning with them, have attempted at the present time to erect publick ecclesiastick Committees with authority and jurisdiction over the whole Kirk and the lawfull established judicatures thereof (falsely pretending that these Committees continued authorized by the Generall Assembly, 1650, whereas it is most true and certaine that all commissions granted by the said Assemblie did expire and become voyd in the yeer 1651), hereby to continue in their owne hands, so long as they please, an unlimited and prelatieall power accountable to none (an usurpation the like whereunto hath never been attempted nor heard of in this Kirk), and have presumed to petition your honors to be countenanced and assisted by your power in the exercise of this intended usurpation.

It is therefore our humble and earnest desire to your honours, for tymely preventing and remedying these greevous and growing evils under the sense whereof the Kirk of God in this land groaneth, that you would be pleased to take off what restraints are putt upon the exereise of our kirk discipline and government, and permitt the ordinary judicatures to meet and act freely without interruption in matters ecclesiastick, as they have been in the use to doe and are established by warrant of God's Holy Word and the lawes of the land. And as we cannot but be confident, considering the engagements by Covenant undertaken by both Nations for preservation of the Reformed Religion in this Church, in doctrine, worship, discipline, and

government, that it shall never enter into your hearts to sett up any other kirk government here than that which is established and hath been blessed of God amongst us for many yeeres together, which all the members of this Kirk are sworne unto, and which only they can in conscience acknowledge, so we doe, as the servants of Jesus Christ, beseech your honours that you would not grant the assistance of your power to these pretended publick Committees for which you have been petitioned of late, nor countenance any other usurpations or irregular practises contrarie or prejudiciall unto the established government of this Kirk, of any amongst ourselves who doe acknowledge the same. The satisfieing of these just desires of your humble petitioners, as it will never be a matter of greefe unto your honours, so will it be a matter of much refreshing and encouragement to the people of God throughout the land, and especially to us, who shall study and endeavour, through the grace and strength of our Lord, to serve Him in the worke of the Gospell and administration of His spirituall ordinances, faithfully and diligently in our calling and stations, putting furth ourselves also to the outmost of our power in the way competent to us, that all such persons in ecclesiastick places as are insufficient, unfaithfull in their work, or scandalous in their conversation, be discovered, impartially tried, and condignely censured, and purged out, in no wayes stretching ourselves beyond the lyne of our calling, but in our whole deportment behaveing ourselves as becometh the Ministers of Jesus Christ; In whose behalf we doe expect that satisfaction shall be given to these our humble desires so much concerning the interest of His Kingdome.

15th February 1656. Presented and subseribed, in name
of all the meeting, by

M^r IA: WOOD.

M^r IA: HAMILTOUN.

M^r WM: JHONSTOUN.

M^r THO: KIRKCALDIE.

20 February 1656. The Brethren then mett resolved upon these Overtures, which they desired M^{rs} Dikson, Robert Douglas and Ja. Wood to give to the President at the best convenience

Whereas Letters of Horning upon some misinformations are given out to charge heretours and others to pay stipends of ministers of churches alledged vaking in the yeir 1652 and since, to the collectors appointed for that purpose, and that much diligence is used to cause the same to be payed shortly, yea, some are charged to pay the same for the yeir 1650 and 1651, which, as it is contrarie to the law of the land, so it is verie prejudiciall to ministers lately entered in the ministerie, to the widow and children of deceased ministers, to the pious destinations of Presbyteries, and to heretors and others lyable in payment of stipends. Ffor

1. Ministers having right by our law to the stipends from the tyme of their admission, yet notwithstanding some being lawfully called and admitted unto, and having served in their charges within the tyme of these yeires above mentioned, and having received and spent the stipends of these yeires since their entrie, are now urged by the heretors and others charged by the Collectors of Vaking Stipends, to repay what they have received, or otherwayes to satisfie the collector ; and others, although they have not received payment yet for their present subsistance, having borrowed moneyes upon hope of payment thereof by their arreirs due since their entrie, are like to be frustrat thereof, by the collectors chargeing the heretors for the same ; whereby as it seemes hard measure that ministers should want what they have right to and have served for, so it is exceedingly prejudiciall unto them and their burden thereby is heavier than they can bear, they having no other means of subsistance.

2. Presbyteries having right by Acts of Parliament to dispose upon vaking stipends for pious uses, and accordingly, some Presbyteries, having destinat some portions of

vaking stipends to the intrant minister upon consideration of his necessities, or in recompence of his service during this vacation of the kirk before his actuall admission, and some having allowed some partes of vaking stipends towards the supply of the necessities of the late incumbent minister, his widow, children and family, or for some such other pious uses, yet notwithstanding the collector charges the heretors for these portions payed out by them upon the destination and appoyntment of Presbytries for such pious uses.

3. Notwithstanding by the lawes of the nation the widow and children of the deceased minister in reward of his service and labours falls as Ann, the whole yeires stipend, if he died before the terme of Michaelmes, and if he died after that terme, the stipend of that yere he died in, and the half of the next yeir, yet all this is called for as vaking by the collector upon some mistake, whereas this by law is as deu to the deceased minister's relict children and executors, as 10 or 12 arreirs could have been deu to them by law, if so much were resting.

4. Heretors in some places are charged to pay under the notion of vaking stipends, the like proportions they had payed to the deceased minister as a voluntary gift and contribution upon particular considerations and respects unto him, durence his tyme of service, where there wes no mantenance settled by law; and in other places, where stipends are not yet established, upon the like respects some part of the weekly collections being allowed to the minister for help to his mantenance, where these collections were able both to supplie that and the necessities of the poor, the heretors there also are charged for payment of the like yeirly proportions as were payed out of these collections, though these collections cannot now afford the same, notwithstanding that in neither of these cures the heretors can be lyable to any stipend but that which is established by law.

5. Where there are contrarie plantations, one being admitted minister with the consent and upon the call of the congregation by the established Presbyterie according

to the order of this Kirk, yet upon some misinformations orders are given in behalf of such persons as are not admitted ministers in an orderly way but contrarie to the mynd of congregations and Presbyteries, that they may receive the stipend, and so the heretors are compelled to intertaine one whom they doe not own as their minister, and he who is their lawfull minister has no maintenance at all.

Ffor remedie of all which is humbly desired.

1. That the collectors be discharged to insist in any charge of horning for the stipends of these yeires conferred upon the intrant minister by the Presbytrie's Act of admission and collation, and that these yeires' stipends be declared not to be vaking (as indeed they are not), but to belong to the intrant, and that he be warranted to receive the same according to the law of the land.

2. That what Presbyteries have destinat with consent of the heretors to pious uses according to the power they have by law, may be allowed, and the collectors inhibit to charge for the same as vaking.

3. That the Ann, that is, what by our law and constant practice is dew to the relict and children of the deceased minister, may be declared free and not to be charged for as a vaking stipend.

4. That heretors under the notion of vaking stipends be not charged for anything but what is truelie vaking of the stipend and maintenance ; modified and established by law, and not for any temporarie and voluntarie gift or allowance intended only for the preceeding minister endureing his service.

5. That in contrarie plantations, the minister whose collation and ordination or admission are allowed by the ordinarie established judicatures of this Kirk, and he only, may be warranted to receive the established stipend and maintenance from the time of his admission.

And in the interim, untill the Honorable Councill shall take tyme to consider hercof, that they may be pleased to give order to the Collectors of Vaking Stipends to forbear further execution for these vaking stipends, untill these

things be taken into their serious consideration, that honest godly ministers and others suffer not in the meantyme in their present livelihood by the poremptorines of the collectors.

The President told that the Councill was to take some course for remedieng the forementioned evils.

Some of the speciall Acts of Parliament establishing and confirming the government, discipline, and liberties of this Kirk and judicatories thereof

(This paper also appoynted by the said meeting to be delivered to the President.)

The large Confession of Faith wherein the doctrine and discipline are included, 4 Act, Parl. 1, K. Ia. 6.

Ratification of the liberties of the Kirk and Religion, Act 1, Parl. 7, Ja. 6, and Act 2, Parl. ij, Ja. 6.

The 1 Act of the 12 Parl. K. Ja. 6, 1592, entituled Rati-fications of the liberties of the Kirk and of Generall and Synodall Assemblies and Presbytries and Sessions, etc.

The 16 Act of the 16 Parl. K. Ja. 6, entituled Ratification of Acts made in favour of the Kirk.

The 4 Act of the 1st Parliament of the deceased K. Charles.

The Ratification of the Acts of the Generall Assembly, Act. 4, Parl. 2, 1640.

The Ratification of the Confession of Faith and Nationall Covenant (wherein the religion, discipline, and government of this Kirk are sworne to), and of the Generall Assemblie's Supplications, Act of Secret Councill and of Generall Assemblie for Subseryving the said Covenant, Act 5 of the said 2 Parl. 1640.

Rescission of all Acts in behalf of prelats, and approbation of Presbytries and their power and jurydiction, Acts 6, 7, 8 of the same Parliament.

Ratification of the Articles of the Treatie, Act 6, Parliament 1641.

The Solemne League and Covenant for reformation and defence of religion, etc., betwixt both Nations, with the Ratification thereof, and of the Act of the Convention of Estates and Generall Assemblie concerning the said League and Covenant, Act 5, Parliament 1644.

Declaration that vaking stipends be employed upon pious uses by Presbytries, Acts 20 and 22 of the said Parliament 1644.

Approbation of the Directorie for Worship agreed upon with the Assembly of divines in England, Act 2, Sess. 4, Parliament 1645.

Ffor securing the Covenant religion and peace, Act 15, Parliament 1649.

The Ratification of the Confession of Faith and Catechisme agreed upon with the Assemblie of Divines in England, Act 16 of the said Parl. 1649.

Abolition of laik patronages of Kirks with power to Presbytries to admitt ministers and give collation of the maintenance, Act 39 of the said Parliament.

Anent ministers' stipends, gleibs and manses, etc., Act 45 of the said Parliament.

A Letter to the Lord President after the said
meeting was dissolved

RIGHT HONORABLE,—The deep sense we have of the sad condition of the Church of Christ in this land, and of our obligation to put forth ourselves in our stations for the preservation of the government and interests thereof, doeth necessitat us to omitt no opportunity of freeing ourselves from the guilt of being accessorie to the overturning of that which is precious to us farr above all our worldly concernments; and of giving faithfull and free information to those who have power to prevent or redresse any disorders or encroachments thereupon. In pursuance whereof, as some of us with others have formerly given in an information representing severall greivances relating to the affaires of the Church, together with the remedies thereof, to the Lord Generall Munk (whose

ready and courteous accepting thereof we acknowledge ourselves bound thankfully to remember), and of late addresse hath been made by many ministers from severall parts of the nation to the Councill, in behalf of the Government of the Church, that the judicatures thereof may not be impeded to act in matters ecclesiasticall according as hath been allowed them by the lawes of the land, and that the usurpation intended by some among ourselves may not be countenanced nor assisted, so we have made bold to recommend those things more particularly to your Lordship's serious thoughts and care, being encouraged hereunto, not only by your Lordship's favourable condescendencie in admitting us to propound our ease freely to you, but also by the experience we have found of your tenderness towards us, evidenced by such wise moderation in managing affairs relating to us, as hath prevented much distresse and confusion that probably wee might otherwayes have been brought into through mistakings. Wee shall not need insist in repeting the things which the body of the ministrie in the land do desire, they being sufficiently expressed in the forementioned information and petition. Only we beg leave humbly to represent to your Lordship the equity and justice of these desires in behalf of the government of the Church, it being not only grounded upon God's Holy Word, but ratified and established also by the lawes of the land in the beginnings of the Reformation, and since after great suffering and expense re-established and confirmed to the refreshment of all the godly who groaned under the usurpation and tyrannie of prelates. This doth appear from many Acts of Parliament, some whereof we have pointed at in the inclosed paper, which wee humbly intreat may be looked upon and considered. And albeit any ecclesiastick government in the Church for ordering its spiritual affairs, distinct from the civill government, be ordinarily lookt upon with an evill eye, yet, as this government is of Christ's institution and appointment as King and Head of His Owne Church, and committed by Him to His Owne Church officers, so it is nowayes prejudiciall to the civill government or any

interest thereof, but on the contrarie is the most effectual mean to form and keep people unto all duties of righteousness toward all their relations, superiors, inferiors, and equalls; and is for the ministers of Christ in this land, to whom this trust is committed by him. It hath been indeed from time to time and yet is our lot to be aspersed and misrepresented by many, as men of turbulent spirits, that can submit to no government. Yet for us and others of our judgement with whom we are acquainted, we may confidently say that through the Lord's mercy we are (as by the Word of God we are taught to be) men of peaceable and orderly principles, disposed to live peaceably and inoffensively in our stations and conversations, not stretching ourselves beyond the line of our calling under any power or government it pleaseth the Lord in the dispensation of His providence to subject us unto, and resolved so to live under the present government. No doubt your Lordship hath observed how sad and greivous our distractions and confusions in the matter of Church government, and the bitter consequences thereof, have been and are to us, as they are also, we are sure, to the body of ministers and professors throughout the land. And we know nothing within time could be so refreshing, as yet again to see the work of the Gospell flourish, order settled in the Church, and error, schisme, atheisme, and profannes forced to stop their mouths, that so faithfull ministers might blesse God, that after all that they have mett with, yet the work of the Lord prospereth, and He hath not forsaken His Church in the land, and they may with quietnes and comfort (being freed from much humbling toile and contention wherewith they are now exercised) give themselves unto their main and great work of bringing in soules to Christ, and carrying them on towards eternall life; which being so high and excellent a design, we cannot but humbly intreat, and from the experience we have already found of your Lordship's wayes (by which you have, we can say in truth, won much in upon our affection) confidently assure ourselves that your Lordship will to the uttermost putt forth your power to be instrumentall

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in promoting the same ; wherein you shall do good service to Christ, and exceedingly comfort the hearts of the people of God throughout the land, and particularly of, my Lord, your Lordship's most humble servants,

Edinburgh, DAV. DICKSON. M. R. DOUGLAS.
23 February 1656. M. JA. WOOD. JA. SHARP.

Direct

To the Right Honourable The Lord Broghill,
Lord President of the Councill for Scotland.

Names of the persons that were appointed for the Conference in November, omitted to be sett doune before, are these, viz., the Brethren—

| | |
|--------------------------|-----------------------------|
| <i>For the Assembly.</i> | <i>Efor the Protesters.</i> |
| Messrs. David Dickson. | Messrs. Sam Rutherford. |
| Robert Douglas. | Robert Traill. |
| James Wood. | James Guthrie. |
| Robert Baillie. | Patrick Gillaspie. |
| John Robieson. | James Nasmyth. |
| John Smyth. | Wm. Somervail. |
| Robert Ker. | Sir Ard. Johnstoun. |
| James Fergusson. | Sir John Christy. |
| James Sharp. | Colonell Gilbert Ker. |

(These names should have been insert page 90.)

Meeting of Correspondents from Synods in August 1656

In August 1656 there mett two correspondents from everie Synod, upon the desire of the Synod of Lothian who sent some of their number to the Lord Broghill, President of the Councill, to represent to his Lordship the increase of Popery in the land north, upon occasion of the late proclamation commanding papists to give bands for security of the publict peace, conceaving nothing else to be required of them ; as also to represent some abuses in the unwarrantable entrie of some ministers to the ministrie,

and the prejudices the ministers lawfully entered do suffer by want of orders for receiving their maintenance ; and to enquire if any answer may be now expected to their Petition presented in February against the Ordinance relating to the entry of ministers.

The President returned this answer that the Council was to take further order with Papists, and that now there was a new order come downe giving unto the Council the full power for appointing mentenance unto intrants in the ministrie, which would take off restraints in the former ordinance complained of.

The Brethren thought convenient that the correspondents in everie Synod should give notice to the severall Presbyteries within their bounds, that intrants might now expect that they would be admitted to make addresse to the Council by supplication, bringing with them certificates from their Presbyteries, the tenor of the supplications and certificates being as follows.

A Form of Testificat by Presbyteries to the Council

To his Highness Council in Scotland
for the Government thereof.

The Brethren of the Presbytrie of A. do humbly certifie that B. C., upon a lawfull election and in the way and order prescribed in this Church, now admitted Minister at D., is of an holy life and unblameable conversation, and, for the grace of God in him, and for his knowledge and utterance, able and fitt to preach the Gospell.

Subscribed in name and at command of the Presbytrie by E. F. (Moderator).

A. 15 August 1655.

The Form of the Intran's Petition to the Council

To his Highness Council in Scotland for the Government thereof. The Petition of B. C. Humbly sheweth,—

That your Petitioner being now lawfully called and admitted to the ministry at D. according to the order

of this Church, and having the testimony of the Presbytrie of A. concerning his conversation and qualification, as the act of his admission and the Presbyterie's certificat herewith produced, do shew, is resolved to live peaceably and inoffensively under the present Government, and purposeth, through the Lord's strength, to labour with all diligence and faithfulness in all the duties of that charge whereunto he is admitted, and to behave himself in all things as becometh a minister of the Gospel.

Therefore may it please your Lordships to give order for his receiving and enjoying the stipend and whole benefitts due and belonging unto the said charge since his call and admission, and for tyme coming, without lett or interruption.

Advice concerning the sending some Brother to the Lord Protector

The Brethren having certain information that their protesting Brethren have a purpose to send up some of their number to the Protector, therefor it is thought verie necessarie that the Brethren of Edinburgh, with the advyce and concurrence of any other Brethren that stay, to send up some Brother with Instructions for representing the condition of affaires here, and for using all means to keep off anything that may be projected by the dissenters to the prejudice of this Church.

Collection for Publik Business

The Brethren think it necessarie that there be a generall contribution for Publick businesse amongst Brethren of their owne judgment, viz. That everie stipend of a thousand pounds or above, pay twentie merks ; of a thousand merks and above, ten pounds ; and everie stipend beneath a thousand merks, ten merks ; to be sent in to Mr. John Smyth against the end of September next.

Appoyntt Mr. Ja. Sharp to go to London

The Brethren of Edinburgh, with concurrence of some others, thought it most necessarie that their Brother Mr. James Sharp be sent up to attend the motions of any that shall be sent from their dissenting Brethren, instructed as followeth.

Instructions to Mr. James Sharp

August 1656

You would labour to give a right impression of the disposition of the ministers of this nation who stand for the publict judicatures of the Kirk, to live peaceably and inoffensively under the present Government, by shewing what testification they have given hereof—

I. By their guyet behaviour hithertill since they were brought under it; 2, by what was declared by some of them, understanding well the mynd of the rest, to my Lord President in February last; and 3, by what many others of them from the severall Presbyteries are at this present tyme voluntarily declaring in petitions to the Councill in Seotland.

II. To clear and make manifest the groundlesse arrogancy of our Brethren in assuming to themselves the name of the godly party of the ministry, together with the injustice and falsehood of their aspersing the generality of the rest of the ministry as unsufficient or scandalous or both; and for this purpose to shew first that the greatest part of the ministers who before our late differences were justly esteemed and lookt upon as the most eminent, honest and godly ministers in this Kirk, and were most instrumentall in the work of God, do adhere to the publict judicatures unto this day; 2, that which is undenyable and notour, a great part, if not the farre greatest part, of our dissenting Brethren have been admitted to the ministry within these verie few yeires, most part of these also being but verie young men, and verie few of all of them that were ministers when the late work of reformation did beginne; 3, that altho' our Brethren do blaze abroad

in publict, and suggest to these in power such aspersions against the generality of the ministry, yet when in their respective Presbyteries at the visitations of Kirks, and in their respective Synods at the tryall of the severall Presbyteries, they are requyred upon their consciences to declare their knowledge and judgment concerning the life and abilities of everie one of their brethren, little or nothing hath been represented by them of anie challenge concerning the conversation or qualification of any particular ministers in their judicatures, yea, altho' upon occasion of such generall aspersions spread and published by them, they have often been in judicatures and publict meetings earnestly attested to condescend upon particular persones, and challenges and solemne promises have been made to them that the judicatures should forthwith goe faithfully and impartially about the tryall and censure thereof, yet never would they be induced to do this ; 4, that within these few yeares, as many scandalous, unable and unprofitable men in all the corners of the land have been removed from the ministry, so through the Lord's goodness, many able and gracious young men have been in our bounds placed into their roomes, and we can warrantably affirme it, that within these last three or four yeares there have been more able and pious men admitted to the ministry in the severall parts of the land, than was at anie tyme in so short a space, or much more, since our late reformation ; 5, wee can also warrantably affirme, that as never more frequent, nor more accurrat visitations of particular Kirks, for inspection and tryall of the conversation, doctrine, diligence, and faithfulnessse of ministers in their charges, have been than of late within these three or four years last bypast, so that we have thereby found not only good evidence of the godly conversation and of the sound and edifying doctrine of ministers generally, but also more painfulnesse in their labours and more success thereupon through the Lord's blessing, than hath been before ; 6, altho' we will not deny but it is very probable that in severall parts there may be found some men in the ministry unsutable in conversation to their

holy calling, and unsufficient (and we wish from our hearts that our Brethren who asperse us thus, had not these late yeares admitted so many unsufficient men as is notour they have done), yet we may truly say it, that our Brethren's wayes and actings this tyme bypast, by which they have taught men to vilify the authority of judicatures, and to conteneue the exercise of discipline, hath been a great obstruction and hindrance to triall, finding out and censuring of such, and we give assurance that the judicatures of the Kirk, they not being hindered to goe about the work, now being exposed to have their authority in the exercise of ecclesiastick discipline contemned, shall use all diligence, faithfulness, and impartiality, to try and censure such where they can be found within their respective bounds, as some Synods of late, as soon as they had liberty to conveene, have given prooffe of their fidelity and zeal in this work, by removing from the ministry some who were of their own judgment as to the matters of public differences; 7, in a word we can say in truth, the Lord bearing us witnesse, that the aspersions of unsufficieny, scandalousnesse and corruption, cast by our Brethren upon the generality of the ministry of our judgment throughout the land, is most uncharitable, unjust and false.

In relation to the preservation of the true religion and government of the Church established amongst us, it is to be desired—

1. That effectuall course be taken for the suppressing of Popery, so much encreased and abounding of late in this land, which, if it be not timeously obviat, cannot but prove most dangerous to religion and to the peace and safety of the State.

2. That the Ecclesiastick Government be permitted and allowed to runne in its right channell, and to go on its exercise as it is established in this nation according to the Word of God, by Acts of Generall Assemblies and Acts of Parliament.

3. Yet if on suggestion from this or from themselves above, any motion be made towards the calling of a

Generall Assembly, you would most seriously represent the inexpediency thereof for the time, and undisposednesse of this Kirk for it, in regard of the present differences and distempers, which would readily be encreased and heightened to the great prejudice of religion, if there were a meeting in a Generall Assembly before there be time to compose and settle matters and men's spirits in inferiour judicatures.

4. That there be no intrusion allowed of persones into the ministry in congregations without the lawfull and orderly consent and election of the congregations, or without orderly tryall and ordination by Presbyteries, but that the whole calling of persons to the office of the ministry be permitted and allowed to be acted and carryed on according to the established order of this Church, and particularly that Act of the Generall Assemblie 1649, intituled The Direction for election of Ministers.

5. That the ordinance concerning the settling of maintenance upon ministers in Scotland emitted in the year 1654 be made voide and taken away, in regard it doth overturne the established order and government of this Kirk, especially as to the plantation and calling of ministers, as hath been evidenced in the considerations upon the said ordinance which were given by us to the Lord Generall.

6. That persons produceing certificates from their respective Presbyteries, bearing testimony of their calling and admission unto the ministry in congregations within the respective bounds of the Presbyteries certifying, conforme to the order abovementioned, and of their blamelesse and godly conversation, and of their ability and fitnessse to preach the Gospell, have by the civill power allowed to them the stipend and uther benefitts belonging unto the respective charges whereunto they are called and admitted; and that the stipend of no congregation be settled upon any persone intruded upon a people to be their minister contrair to the aforesaid lawfull and established order of calling and admitting ministers.

7. That the ecclesiastick discipline be permitted to be exercised by the judicatures of the Kirk according to the

order therein established, and that ecclesiastick censures that shall be enacted and pronounced against any members of this Kirk, ministers, or others, for scandalls and offences, be not impeded nor stoped, nor any persons so censured disobeying, contemning or opposing the discipline of this Kirk, be countenanced or encouraged in their disobedience, contempt or opposition.

And whereas some may be bussy to suggest, and upon such suggestion it may haply be objected that the judicatures of the Kirk being such for the most part as stand for the authority and constitution of the two late General Assemblies, do exercise oppression over these that dissent from them, and that were they permitted to exercise their full power and authority, they would crush the other party by casting out many godly ministers, holding out many godly expectants, and censuring all others dissenting from them, this may be made evidently appear to be nothing else but a forged unjust slander by the Act of the Generall Assembly at Edinburgh 1652, intituled an Act and Overture for Peace and Union of the Kirk, and by the Overtures made by us to our dissenting Brethren in November last, especially as they are expressed in our Representation given to them November. And our carriage in our judicatures all along the time of our differences, wherein we have borne, with much and constant patience, many sad, bitter and unjust aspersions cast upon us by them in preaching, wreitt, and print, yet never to this day censure or challeng any of their judgment upon the account of our differences, or for any of their injurious aspersions cast upon us, nor ever opposed we the entry of any of their judgement into the ministry, but was ever willing to admitt them upon an ordourly call, if they would only have declared their resolution to live peaceably with us, and to abstaine from holding up debates and contentions about the matters of our public differences (which thing we were always really willing to declare and performe for our part), leaving to them the full freedom of their judgment in these matters.

8. That no company of ministers or others be esteemed

or acknowledged to be a Presbytrie, or other Kirk judicature, who have not been owned as such a judicature, and authorized by their respective superior judicatures ; and that if any few ministers or others who are not authorized in manner aforesaid, take upon them the authoritie and jurisdiction of a Kirk judicature, and do exercise any act of government in calling or deposing of ministers, or inflicting any other censure, that they be not countenanced, nor any of their actings owned as deeds of a lawfull judicature.

9. Because our adversaries may be bussy to misrepresent us having been averse from union, the matter of the overtures of union which we condescended unto would be made knowne both to those in power and to the godlie presbyterian ministers there, as also the points on which they struck and refused to unite with us, which were these two : 1, that we granted not unto them committees of equall numbers of both judgments for purging ; 2, that we requyred subordination and subjection of inferior judicatures to their respective superior judicatures according to the nature and order of presbyteriall government in this Kirk and the constant uncontraverted practise thereof before the tyme of our unhappy difference. The unreasonablenesse and inconsistency with presbyteriall government and the established order in this Church, of requiring the former and refusing the latter, is fully and clearly evidenced in our last two papers relating to the Conference.

10. If it shall happen that any new motion be made for union with our dissenting Brethren, it would be shewne that wee cannot possibly condescend any further than we have done already, for obtaining union with them, in our above-mentioned Overtures in November last, as they are expressed in our Representation in the said month of November, unlesse we would condemn ourselves and renounce our judgments in the matters of difference betwixt them and us, which we could not do without wronging our owne consciences, quiting truth, provocking God, and rendering our Church and religion hatefull to all the civill powers, nations, and Churches about us. And if it be

moved that an union be made between them and some of us whom they are pleased to favour with the estimation of honesty and godlinesse, laying by others, it would be declared that we are most willing that all such persons in the ministry as can be challenged for scandall or insufficiency be impartially tryed, and censured in an orderly way by the judicatures of the Kirk, or committees of unquestionably judicious and godly men to be nominated by the said respective judicatures; but that we neither can in conscience nor will ever harken to such a motion as that, whereby a great part of the ministers of this Kirk (whereof many are able and pious men whatever our Brethren think of them) shall be condemned as insufficient, scandalous, and corrupt without hearing, without any tryall or processe, and not only a more woefull rent made in this Church, but also the verie constitution and frame of this nationall Church overturned and razed and all cast downe into a confusion.

MR D. DICKSON.

MR R. DOUGLAS.

MR JA: WOOD.

Letter to the Lord Broghill, President of the Councill,
August 23, 1656

May it please your Lordship,

Our brother being now to follow your Lordship up, we could not in duety dismisse him without some expression both of that sense we have of your Lordship's goodnesse for the time bypast, and of our confidence for farther experience thereof in time coming. Verily we are your Lordship's debtors; and this we desire to acknowledge, not so much upon the account of the courteous reception and respects wherewith you have been pleased to favour our persons at all times (altho' our obligations that way are not small), as for the begunne lightning of our eyes and reviving which our God hath by your Lordship's wisdomc, moderation, and justice granted to us in the matters and interests of the Church of Christ in this land, which were ready to have been brought into sad distresse

and confusion by the disorderly actings and designes of some amongst ourselves, and through the mistaking of many honest men, begotten by sinistrous informations and misrepresentations suggested against them. As we owe the procuring of this comfort to your Lordship as the speciall instrument under God, and your Lordship may be well assured you have therein done service acceptable to him, so the world may see you have thereby done no disservice to any interest of man you were intrusted with. Your Lordship doth well understand that the affaires of this Church as yet are but in a verie diseased condition, and in hazard of much disorder, if more be not done towards the settling thereof according to its constitution established upon the warrand of God's Word by Acts of Generall Assemblies, ratified by the lawes of the land. What for this end is necessarie to be granted, we have shewn heretofore, and our reverend brother, Mr Sharp, will again represent to your Lordship. And we are confident your Lordship will without wearying in well-doing, or standing upon the obloquies and suggillations of men (your spirit being above them) improve, through the Lord's grace and strength, that credit and power which you have deservedly, for obtaining a grant of the same. Wee doubt not but hard impressions of us and other ministers of our judgement in the land have been given to his Highnesse, to render us hatefull and to prejudice the cause we stand for, and that we are misrepresented as designing oppression against our Brethren. But we trust withall that our brother, getting an hearing, shall be able to wipe away all such aspersions, and that your Lordship, as you have ground from your knowledge of our principles, way, and carriage, so will make use thereof to concurre with him in that matter. We have often opened our hearts to your Lordship, and do againe ingenuously declare that we have learned from God's Word to behave ourselves peaceably and quietly under any power to which it pleaseth the Lord by the dispensation of His providence to subject us. Our witness also is in heaven and our record on high, that our great designe at this time, in subordination and

reference to which we minde and respect all other things in the world, is this, that the true reformed religion, in doctrine, worship, government, and discipline, through God's mercy established amongst us, may be preserved, that what breaches have been made upon any part thereof may be repaired, and that wee with others, our fellow-servants of the Lord, in the orderly administration and dispensation thereof, serving Him without stretching ourselves in anything beyond the line of our calling, and without harming in the least measure any of our brethren dissenting from us (who we wish, were disposed to live in peace and love, and to serve the Lord Christ with us in His work with one consent) may, through His blessing upon our labours, be instrumentall for the advancement of His Kingdome and the salvation of His people, and that ourselves may share in the common salvation, which things if we obtaine of the Lord's mercy, we have our heart's desire. Wee begge your Lordship's pardon for that, duety constraining us, we have taken so much of your time, and heartily commend our beloved brother and the cause he cometh for to your Lordship's favour and care, altho' we know there is not much need we should presse this, and, in very deed, had we not assured ourselves of this, we would not (as we told your Lordship at parting) in any wayes have sent him up, we shall add no more. The Lord who hath owned this poore Church and hath said that they shall prosper that love Zion, both make your Lordship succesfully instrumentall for the comfort and wellbeing thereof, and graciously reward you, richly blessing yourself and your house, both here in this world and hereafter for ever ! This is and shall be the constant prayer of your Lordship's most humble and affectionat, as most obliged servants in the Lord,

Mr D. DICKSON.

Edinburgh, 23 August 1656.

Mr Ro. Douglas.

Mr JA. WOOD.

Direct for

The Right Honorable The Lord Broghill,
Lord President of the Council for Scotland.

Letter to M^r Simeon Ash

Right Reverend and dearly beloved Brother,

It pleaseth the Lord in the wisdom of His just providence to exercise His poore Kirk in this land with these unhappy divisions, under which we have laboured for a long time and are still groaning, after all means have been essayed for healing the same. Our dissenting Brethren, as they have been active in their owne way, and have left no wind unsailed that may make for their advantages, so it hath been and is their study to misrepresent our persons and actions unto these that are in power, and to render us odious by loading us with calumnies. In prosecution whereof some are employed to agent their business there, whose carriage here putts us out of all doubt that they will make use of the same means for obtaining to themselves as the godly party (which title they vainly and presumptuously arrogate) the managing of ecclesiastick affaires, which of right and by constant practice belongeth to the established judicatories of this Kirk, the authority whereof they have contemned, and endeavour to render contemptible to others. It hath been our care, according to our duty, to preserve the liberties of the kingdome of Christ amongst us, and to vindicate ourselves from the foule aspersions that have been unjustly throwne upon us. And, now, lest the established discipline and government of the Kirk of Scotland, and we with others who stand for it, might suffer prejudice by the misrepresentations of any whose acquaintance there and former employment for the Kirk may possibly purchase the more credit than they deserve in the matters of our difference, wee have thought fitt that our reverend brother, M^r James Sharp, who is not unknowne to you, should be there to attend their motions and to prevent or take off any sinister impressions which may be made by their misreports. He is able to give you full information of our Kirk affaires, and we do by him remember our best respects to you and to the rest of our dear brethren and acquaintances there, whose brotherly kindness we do remember still, and shall

so long as we live. Wee recommend you to the grace of God who may direct your steps in His wayes, and preserve you blamelesse into His blessed Kingdome, which is the earnest desire of your affectionate brethren and fellow labourers in the Lord's work,

Sic subr. Mr R. DOUGLAS.

Edinburgh, August 23, 1656.

Mr JA. HAMILTOUN.

Mr MUN. LAW.

Direct for

Mr JO. SMITH.

The Right Reverend our well beloved Brother,
Mr Simeon Ash, Minister of the Gospel at London.

Declaration of the Councill concerning Deacones

GENTLEMEN,—His Highness Councill having it notified unto them that the 30 Article of the Instructions for the justice of peace, which concern the mentaining of the poore in every paroch, in some generall clauses contayned therein apt to be mistaken and extended beyond their true meaning and intent, unto the prejudice of the just liberty of deacons in these things that concerne their care in collecting of voluntary contributions for the poore in their severall congregations, and unto the rendering of the office of the said deacons in the due exercise thereof, ineffectuall by tying them to delyver the said collections made by them to the overseers for the poore appointed by the justices of peace, do, therefore, for the preventing of these inconveniences, think fitt to declair, and hereby to acquaint you, that it is not their meaning and intent in that article or in any expressions or clause contained therein, to pre-judge the just liberty of deacones in their cair of and collections for the poore, as aforesaid, in the severall congregations, or to oblige the deacones to delyver the said collectiones made by them for the poore unto the overseers appointed by the justices of peace, upon their requyring thereof, but that the then deacones, notwithstanding of their article or of any clause or expression contained therein, are left to take care of and make their collections aforsaid for the poore as formerly, and to dispose of the

same without being comptable to these overseers or to the justices of peace. *Sic subr.* Signed in the name and by order of the Councill,

BROGHILL, President.

Edinburgh, 5 February 1656.

Direct

To the Commissioners and Justices of the Peace
in the Schyre of Edinburgh.

Letters from the Lord Broghill

WORTHY SIR,—The Parliament having appoynted a generall fast to be kept throughout the three Nations upon the 30th day of this month, I thought fitt to give you notice thereof, and that the directiones for that fast are sent into Seotland. The conditions of these nationes for the present calleth for publict humiliation; and I do think there will be no ground of scrouping as to the keeping of that day by publick order in all the churches of Seotland. I doubt not 'twill be considered what prejudice it will be to your cause, what advantages shall be given to all who are disaffected to it, and what frustrationes will be putt upon the good intendment your friends have for you, if the ministers of your judgment should neglect to preach to their congregations that day. What I have, Sir, by this hinted to you, I desire may be made knowne to M^r Dickson, M^r Blaire, M^r Wood and M^r Hutchison and your other Brethren, to whom I pray present my service, and beleve me, Your affectionate friend and servant,

Sic subr. BROGHILL.

London, 2 October 1656.

There are 1200 printed copies of the Declaration for the fast sent down to the Generall to be distributed through all the parishes in Seotland.

Direct

Ffor my worthy friend, M^r Robert Douglas,
Minister of the Gospell at Edinburgh, in Seotland.

Letter to M^r Ja. Sharp concerning the Fast

REVEREND AND LOVING BROTHER,—Since your last to us here, there came to our hands two letters from my Lord

Broghill, in one whereof such a relation is given us of his Lordship's care of the affaires of the Church of Christ here, and of your faithfulness in relating to our case and bussinesse, as did verie much satisfie us. In the other, severall considerations are hinted at by his Lordship, shewing how advantageous it would be to the bussinesse entrusted to you, and whereof he is pleased to be so carefull, if we should joine in the publicke fast concerning which a declaration is emitted and lately come to us. Upon consideration hereof, as we found ourselves exceedingly obliged to his Lordship for his freedome and care, so we held it not convenient to trouble his Lordship with any present answer (it being a bussie time, as he did signifie in his Letters), but judge it sufficient to committ it unto your care to acquaint his Lordship with our thoughts, being confident that his Lordship, knowing our dispositions and principles, will be able easily to take off any sinister interpretation that may be put upon our forbearance to concur in that action, as to what is incumbent to us in our station. We doubt not but yourselfe who knowes us and our case, will be able to suggest reasons why our carriage should not be taken in evill part. Ye know that it is no new thing that such fasts are not observed among us, and (to say nothing how unsuitable much of the matter of that declaration is to our case and to the ease of the people who are enecited to joine in that work) ye know that it is a matter altogether contrary to the order of this Church, to observe publicke fasts upon causes prescribed and imposed by any, which have not been agreed upon by the common consent of the respective Church judicatories, and it is a hard matter for us, with our owne consents, to give away these liberties which have been and are so precious to us. Besides, ye may easily judge how impossible it is (were the matter otherwise clear) for us to do anything as our case stands. We suffer not a little in what hath been done already, in so much that not only our avowed opposites do openly traduce us, as putters away of the liberties of the Church of Scotland, but even others, of whom it could not in reason be expected, do not spare to quarrell that phrase of peaceable and inoffensive liveing

in the Petition of Intrants. And what clamours may we expect should be raised if we of ourselves should go alone in this fast, only seeing our brethren would not only be sure to be *altera pars*, but many other ministers in the country, wanting common resolution, should be left in the mist? We professe ourselves sensible of our hard case, that when we have expressed ourselves ingenuously and singly, in what we may, for removing of prejudices at our principles and way, yet we are still cast upon one snare after another, and by our doubtfulness in any of these particulars that occurre, are still in hazard to be misconstrued. But we desire to leave the matter on the Lord, who knoweth that we are walking without any byasse, and meerly upon principles of conscience in those things, and do conceive that either the pressing of us or taking notice of our not joining in things wherein we are not clear, doth not at all tend to the advantage of any, or to the furtherance of their bussinesse, and will be of as little use in this case as in any other. We doubt not of your care in this bussinesse, and do by these present our humble service to my Lord Broghill, to whom we purpose to write shortly, and in the meantyme do hope his Lordship will finde that the prosecuting of his purpose of promoting the good of this Church (whereof he is pleased to give some hopes) is the best and most advantageous way of dealing with us, whom we hope his Lordship doth beleve to be men who walk in the simplicity of our hearts. We would also desire that, in so far as things come to your knowledge, ye would labour so far as ye can to prevent the sending of any ordinances and injunctions unto us, wherein ye may know we are not clear. We shall add no more, but praying for the Lord's direction to you and His blessing upon you, we are, your loving brethren,

Sic subr. M^r DAVID DICKSON.

Edinburgh, October 1656.

M^r ROBERT DOUGLAS.

M^r GEORGE HUTCHESON.

Direct ffor

Our Loving Brother, M^r James Sharp,
Minister at Craill,
for the President at London.

Letter for Lord Broghill

RIGHT HONOURABLE,—We had before this time returned our humble acknowledgement of your Lordship's favour and your respects towards Christ's interests in this Church, expressed in your last to us, but that having (according to your Lordship's desire) communicated the one of them with Mr Blair and Mr Wood, we had no return from them untill this day. We cannot but with thankfulness to God remember how seasonable and usefull he did make your Lordship's presence and countenance here prove unto us; and it doth exceedingly refresh us and endcere your Lordship unto us, that we hear so much of your open avowing and owning of us and our cause, when others are pleased to putt another character on us and it. And we do nothing doubt but your advice in reference to the ensuing fast doth flow from your sincere desire to have the affaires you have been (and still are) pleased so much to owne, succeed to our contentment. And therefore we resolve to deal freely and ingenuously with your Lordship in it. When we had consulted seriously upon the matter of that fast and declaration, and have considered on the advice sent us from our two brethren to whom we transmitted the letter, we conceive it might be sufficient to take off all hard constructions that may be put upon our forbearance to join in that work that, by reason of the shortnes of time, it was impossible to have any communication of counsels amongst ourselves in this Church, that so we might take an uniform course, which yet were most needfull, for preventing more scandalls and distractions among ourselves. But we shall further freely declare unto your Lordship that it is upon reall grounds of conscience that we do not joine in it. We could heartily wish that in these things that belong to the publicke worship of God and our calling, and wherein we are in the Lord's name as His servants and messengers to stir up the people to their duty, respect were had to the consciences of godly ministers, and their liberty continued with them (according to the order established in this Church) to convene and

condescend upon and be satisfied with the causes of fasting and humiliations, and the like acts of religious worship, which would prevent many inconveniences, and not cast them upon a necessity of seeming either to be unreasonable, implacable men, by their forbearing to joine or reallie dallicing with God, and irritateing those in power yet more, by observing such appointed days on other cause. We presume that your Lordship looks upon us as men who will omitt nothing we can do with a good conscience, for avoiding of offence, and that when wee doe not goe along in anything, it is merely upon a principle of conscience. And therefore we doubt not but you will continue to perfect that which you have begun in behalf of this distracted Church, and to take off any hard construction which might be put upon this forbearance to obstruct it. We shall not any longer interrupt your Lordship's serious affairs, but only to add that some account which we have received of M^r Sharp's proceedings gives us occasion humbly to intreat your Lordship's care that what is granted in behalf of the Church discipline and government may be free and without such restrictions as may involve us in greater snares and inconveniences. We doubt not but our carriage all along will plead for us that we have kept ourselves within our own sphere of ecclesiastick matters (as we purpose still to do), and that we have walked most tenderly towards such as have withdrawn themselves from the communion of this Church, but if either M^r Sharp should propound our desires, or they should be granted with such restrictions and limitations, your Lordship will easily perceieve that our acceptance thereof shall not cure but augment our distempers, and our case become worse then yet it is, we being obnoxious to be mistaken in everie particular which may be thought civill or to relate unto things civill by any consequence, and everie (not only papysts but) malecontented and licentious person having fair opportunity to make void all discipline by so withdrawing himselfe from established ordour. These inconveniences we humbly represent to your Lordship, to be thought upon, and by your prudence

prevented, which shall be acceptable service to Christ, and shall add to the many obligations of, my Lord, your Lordship's humble servants in Christ,

Edinburgh, 21 October 1656.

Mr DA. DICKSON.

Mr R. DOUGLAS.

Mr GEO. HUTCHESON.

Direct

For the Right Honble. The Lord Broghill,
Lord President of the Councill for Scotland.

Letter to Mr J. Sharp

REVEREND AND LOVING BROTHER,—We received yours of the 14 instant, and doubt not before the writeing of this you have received our judgment about the fast. We did communicat my Lord Broghill's letter about that particular according to his desire unto our Brethren, Mr Blair and Mr Wood, whose answer we received yesterday, wherein they, not knowing anything of our resolution, have fallen upon the verie same thoughts with us, that, upon grounds of conscience, they cannot joine in the observation thereof. By this post we have given a return to my Lord Broghill's letters written to us, and therein have exprest our thoughts concerning the fast, and the clauses moved to be in your desire, as you write in your last, whereby we perceive that you have been upon the drawing up of our desires in seven articles, and that my Lord Broghill thought fitt they should be summed up in the generall, that the discipline and government of the Kirk of Scotland be allowed to be exercised in all the parts thereof according to the order and constitution of this Kirk established by the lawes of the lande. This we do not thinke amisse. But if the clause, of being only binding unto these that submitt unto it, be added, all is cast loose and liberty proclaimed to papists and others to do what they list without any restraint from the Kirk judicatures. The imposeing and exacting of mulets by the civill power should not, and, you know, never have hindered the Kirk to proceed against papists

and other offenders in an ecclesiastick way, for reclaiming them from the error of their judgment or practice. The protesters are mainly to be feared who have already professed, as you know in their conference with us, that they will not submit to the established judicatures, and how can they be judged to submit who professe that they will not submit? Yea, profane persons may refuse to submit, and shelter themselves under that clause, and all contraversies between Presbyteries and any offender shall be drawn away from them, and no Kirk judicature have power to determine in them to any effect. We do not meddle, you know, with these that have never been of our Kirk, and you are not ignorant with that tendernes we walk in proceeding against these who fall off from us, whether in doctrine, worship, discipline or government, that if possible they may be gained by lenity. And as hitherto we have not gone beyond our line, so it is our pourpose for hereafter not to stretch ourselves beyond it. We judge it therefore fairest and safest that nothing should be given in by you but the simple desire as it is above mentioned. We wish that nothing be given in before our advice which, you crave, be returned unto you. But if you have offered any draught with that clause, we desire it may be helped while you are there, for we look upon that clause as the destruction of the established government of this Kirk, unto which we can never be consenting. Mr Simson is now come up with his packet of lies, and we hear is commissionat to supplicate that these of their faction may have equall share in the plantation of all the Kirks that may happen to be vacant, whereas the respective Kirk judicatures should exercise their power therein according to the established order of this Kirk. We do therefore judge it expedient, though you be dispatched that you attend his motions there, till we be advertised, for albeit you cannot meet with him, being a deposed minister, yet you may informe my Lord Broghill, as you understand of his calumnies or misrepresentations. We recommend you to the Lord's grace, praying that He may be pleased to give you wisdom, and blesse you with

favour in the eyes of these with whom you have to doe,
and are your loving brethren,

Sic subr. M^r ROBT. DOUGLAS.

DAVID DICKSON.

Edinburgh, 21 October 1656.

M^r JA. HAMILTOUN.

M^r JOHN SMITH.

Direct

Ffor our Reverend Brother, M^r James Sharp.

Letter to M^r James Sharp

REVEREND AND LOVING BROTHER,—Yours of the 18 I received upon Thursday, and that night did write something in returne. That same day in the afternoone we mett together all the ministers of Edinburgh, not one of us being absent, and having debated first about the keeping of that day upon the declaration and grounds thereof, were unanimous that we could not in conscience so doe. Thereafter we conferred upon it whether since the people were to abstaine from their labours on that day we might preach, and in this we were no lesse unanimous that it were but a scorning of the business, and would undoubtedly prove an occasion of further irritation. Concerning M^r Wood we wrote upon Thursday that both M^r Blair and he were of the same mind with us. With your last we received one from my Lord Broghill, to which the enclosed is a returne. Therein, according to your desire, we have freely and honestly given his Lordship an account of the grounds for which we cannot be free to joine in that fast, both from the way of our Kirk and from the matter contained in the declaration itself, wherewith we are hopefull his Lordship will receive such satisfaction as to continu his care for accomplishing that which concerns the welfare of this poore Kirk, and not to harken to the suggestions of these who would have our reality called in question because of this forbearance. If we had been so far voide of the fear of God, as to have adventured upon the way of dissembling, we might have as easily dissembled in this. But far be it from us to enter into

that wicked way. We have a desire toward the feare of the dreadfull name of the Lord our God, and we trust we have approven ourselves to be what we professe in our whole deportment unto the conscience of those with whom we have had occasion to converse. We suppose it may be evident unto men of judgment that if we could have done it with the safety of our consciences, we would not have hazzarded upon the greiving of my Lord Broghill (to whom we are so much in gratitude), farr lesse upon the frustrating of the expected allowance of the established discipline and government of this Kirk, which is dearer to us than any, than all earthly concernments. If these cannot be preserved without our consciences be wounded, and we ourselves wilfully walk over the bellies thereof, we must committ them to the care and custody of Him whom we serve, and submitt ourselves unto His mereifull providence in welldoeing, who doth not allow us to do evill that good may come of it. Whatever be the event, we shall have a witnesse within that we endeavoured to be found faithfull in keeping that which is committed to our trust. We perceive, dear brother, that you are too sollicituous about the event, and therefore we intreat you to comfort yourself with your honest endeavours. The care of duty belongeth to us, let the Lord do as seemeth good in His eyes in ordering the events. And we beseech you, whatever may fall, let nothing be done by you that may import our consenting to the overthrow of the liberties of the Kingdome of Christ among us. Let not any appearing difficulty, nor the verie improbability of success, make you to faint or discourage you from active prosecuting of the bussines by all likely and lawfull means. You have the prayers of honest men for divine direction, assistance, and a comfortable successe. And you are better acquainted with the constant custome of malicious opposers in opening their mouthes wide to vent calumnies upon innocent men, than to be out of measure troubled or turned a stepp out of your way by the blasts of their rotten breathings. And as we have not heretofore been stopped in following a right course by the calumnies of

men, nor carried therein by the clamours of any who-soever, as yourself may know, so we do professe that if in this we had had no other impediment in our way than those, we could easily have overleaped them. For the close of yours, you know it is usual for Synods and Presbyteries to appoint days of humiliation for causes agreed upon by themselves. But being appointed so soon after our forbearance from joineing in this, we feare it might prove rather a matter of provocation than be anywayes satisfactory, so unwilling are we to give any offence. Our Synod is to meet upon the first Tuesday of November. I recommend you to the Lord's grace, and remain your loveing brother,

Sic subr. M^r ROBT. DOUGLAS.

Edinburgh, 25 October 1656.

Direct

Ffor my reverend and loving Brother, M^r James Sharp.

Letter to Lord Broghill

RIGHT HONOURABLE,—We received your Lordship's of the 17th instant, and albeit in our last we have expressed the sincere thoughts of our heart concerning the ensuing fast, yet we shall againe seriously professe that the expressions of your tender care and solicitude for us and in behalf of the interests of Christ amongst us, do so affect us, that we should account ourselves most insensible and ingrate, if it were not our great affliction any way to greeve your Lordship, or if we should omitt anything that we could do with a good conscience to satisfie your desires, who do so seriously minde and ayme at our reall advantage thereby. We may say it, that the sense of our obligations to your Lordship, and of your appearing so openly and constantly on our behalfe, hath not a little taken up our minde in our debates again and again upon this matter; and did it not stand upon conscience with us, but our word might be yea and nay in it, we would easily swallow any other considerations and retract our resolutions, if it were but to give your Lordship satisfaction, and that we might avoid anything

which may seeme to speak us unduetifull, and so ill improvers of our own mercy which it hath pleased the Lord to shew unto us by your Lordship's favour and care of us. We are also not insensible that it were the height of folly in us, if (being men whose deportment is peaceable in our stations and who can expect no greater thing in this world than the free and comfortable exercise of our ministry) we should upon any principle beside that of conscience, fix upon this resolution of forbearance, which may seeme to irritate and beget an ill opinion of us, and which in this juncture of time may expose that cause unto hazard, if not obstruct it, which concerns us most nearly of anything we can enjoy. We need not acquaint your Lordship that, as it is not our way to deal with others in such matters, nor to infuse any of our principles into them, that we may draw many to be of our opinion, so these with whom we were bound to communicate the matter in this place, and they to whom, at your Lordship's desire, we imparted it, are unanimous in our scruples upon it, as we beleeve generally the ministers of this nation are. And we desire rather silently to enjoy the freedom of our consciences than to make any greater noise about the grounds of our scruples. Only for your Lordship's satisfaction, we made bold in our last to hint at that right which is competent to Church judicatories in this nation, and that liberty due to the ministers of the Gospell, upon grounds of equity and conscience in such matters of religious worship, and the causes of humiliations and thanksgiving, which, however others may look upon as a matter of small moment, and not as the reason of our forbearance, yet we do professe it to be the great ground of our scruple, and a part of that great interest of Christ's Kingdome, which the godly in this land have been at all times so carefull to assert and preserve inviolable. We cannot also but look upon the precedent as of great consequence, and such as may draw us upon many inconveniences. Ffor as in that Declaration the whole work of a daye's worship is prescribed to all the ministers of this nation without any knowledge or consent of them-

selves in the Church judicatories, so upon the like ground there may be a prescription of the work of more dayes, not only extraordinary, but even ordinary, which hath been a thing constantly declined in this Church upon grave and weighty reasons. And albeit we doubt not but others will have severall apprehensions of the grounds of our scruples upon the matter and particular causes mentioned in the Declaration, yet we shall further sincerely declare unto your Lordship that (beside the former reasons) we finde in it severall particulars relating meerely to religion, which we humbly conceive to be contrary unto our received principles, and wherein we cannot joine with a safe conscience.

As we do humbly acknowledge your Lordship's care in suggesting reasons and overtures for clearing our way in this business, so we have not been wanting to seek out either what might persuade us to the worke, or be an expedient for avoiding offence. But we cannot satisfie ourselves that the Presbyteries (at least some of the nearest) their appointing of that day, can remove our scruples, for our cheefe scruple being about the cause prescribed and the prescribing thereof unto us, if Presbyteries' resolve to keep that day should fall upon the scanning of these causes, or not go along upon these but rather [? other] causes (though never so true and inoffensive), we cannot apprehend but it would irritate more, and be readily interpreted a greater contempt than our simple and silent forbearance. And, withall, however any might look upon some few Presbyteries their observing that day, yet we apprehend it could be to little purpose but to increase more needlesse rents amongst ourselves, there being many faithfull and conscientious men in all the corners of the land, who will not be perswaded by the example of any. When we saw the fast only recommended and not imposed, we did indeed conceive ourselves the more engaged to walk tenderly in the bussinesse, but withall it gave us ground to expect that our simple forbearance upon grounds of conscience should be the more tenderly constructed, and not prove obstructive to any good intended to this

Church. And as we do not at all meddle with the civill prohibition of labour on that day, so in the like cases formerly people have been prohibite labour when yet they had no publicke worship, nor did expect it, for it is not the people's way in this Church to assemble or expect preaching on such dayes, when the causes are not before that time cleared and pressed upon them. And before the generality there are among us many judicious and godly Christians who are no lesse tender of the interests of Christ's Church than ministers are. We have again made bold to trouble your Lordship with opening our heart unto you, being otherwise unwilling to appear upon such a subject. And though we have ground to apprehend that this our resolution and forbearance may be represented as a refutation of all our peaceable professions, yet we shall take the boldness to say that if we durst dally, we might as easily do it in this as in any other case ; but we have loved still to deal singly with your Lordship and dare not do otherwise in God's matters, and however we may be looked on for the present, yet we are confident it shall be found there is no just cause why this should leave any bad impression of us. It doth indeed not a little grieve us to apprehend that we may be looked upon as occasioning the frustration of our own hopes concerning the successe of that cause which is most dear unto us ; yet as it is not our interest and private advantage we are seeking in it, nor the interest of any party or faction, but what tends to the generall and common good of this Church and all the ministers of Christ and members thereof, so before we do anything to wound our owne consciences and the cause itself also as we conceive, we must choose rather to leave it upon Him, whose it is. And if it be His pleasure to exercise this poore Church with yet more confusion and distraction, we shall hold it our duty to put our mouth in the dust and acknowledge His righteousness. And however matters succeed, yet we trust never to be forgetfull of your Lordship's affection and tenderness, nor of the mercy we have received by your means. But as we will not doubt of your Lordship's favourable interpretation of this our freedome,

and of your care to remove all obstructions, and to furnish arguments for that end, so we cannot expect that this should prove any impediment to the business. Wee see no advantage that can redound to any by denieing so harmlesse and just a sute of enjoying the liberty of Church government with that freedome which we mentioned in our last to your Lordship ; and we hope by your Lordship's care all misunderstandings of us shall be prevented or removed. And as it is the greatest of honour and a reall blessing to be instrumentall in procureing or promoting the welfare of Christ's Church and Kingdome, so that your Lordship and your house may richly partake of the blessings promised to the lovers of Zion is the prayer of, my Lord, your Lordship's humble and obliged servants in Christ,

Sic subr.

Mr DA: DICKSON.

Edinburgh, 25 October 1656.

Mr ROBT: DOUGLAS.

Mr GEO: HUTCHESON.

Direct

Ffor the Right Honourable the Lord Broghill,
Lord President of his Highnes Councill in Scotland.

Letter to Mr James Sharp

REVEREND AND LOVING BROTHER,—Yours of the 28 I received this day, and communicat with my Brethren. We conceive that that which is advised about our writing to my Lord Broghill is done already in these written to his Lordship upon Tuesday and Saturday last. Wee do much approve your answer to the motion about your speaking before his Highnes Councill. As for the draught you sent us to be putt as the matter of the Ordinance, we have just cause to be much affrayed that the Protesters take the least hint that can be offered by any expression to withdraw themselves from submission to the established judicatures of this Kirk ; and there may be danger in too large and ambiguous expressions. Therefore we have made a change of some. First, instead of ' who professed to be of the way of the Churches of Scotland ' we have

putt 'who stand obliged to submitt unto the discipline and government of the Church of Scotland.' You know we use not to meddle with these that are not members of our Kirk. You know also that the Protesters have professed they will not submitt to the way of the Kirk of Scotland which they say is now corrupted and in a course of defection, according to their virulent dialect. Secondly, that clause 'tending to the advancement of piety and better propagation of the Gospell in that land' will be taken up and made use of to brande many of our Kirk Constitutions as not tending to the advancement, etc. Therefore it is best it be left out there, and it cometh farr better in by way of narrative in the enterie, as you may see in the inclosed paper. Thirdly, we thinke the clause 'without meddling with matters of civill concernment which are propper to the magistrate' is needless, and may be left out as superfluous, seeing it is said before in these words, 'relateing to Church matters allanerly.' But if it be instantly urged, instead of 'matters of civill concernment,' let it be said 'civill matters,' for the former is of vast comprehension. These are the alterations we desire to be made, and are confident you will think upon good reason. I recommend you to the Lord's grace, and am your loveing brother,

Sic subr.

MR ROBT: DOUGLAS.

Edinburgh, 28 October 1656.

Direct

Ffor My Reverend Brother, Mr James Sharp, etc.

[Enclosed Paper]

That for the advancement of piety and better propagation of the Gospell, the government and discipline of the Church of Scotland be allowed and countenanced in the orderly exercise thereof, to the calling and admission of duely qualified persons unto the office of the ministerie, to the assembling and acting in the ordinarie approven judicatures, for the recognition and determination of Church affaires, the pronouncing and inflicting of censures,

for the suppressing of ungodlines and removing of scandals and offence in all persons who stand obliged to submit unto the discipline and government of the Church of Scotland, for purging of the Church by a regular and orderly procedure, and performing all other acts of discipline and government relating to Church matters allanerly, which have been usuall and competent to Church officers by the known rules and constitutions of that Church.

Letter to Generall Munk

RIGHT HONOURABLE,—Hearing of a proclamation this day about keeping a fast upon Thursday, for preventing misconstructions, wee thoght good by these to acquaint your Lordship that the forbearance of the ministers to join therein doth not proceed from contempt, but from meere grounds of conscience against which we dare not walk, as we have written to my Lord Broghill in answer to the letter which his Lordship hath been pleased to write unto us. We may be bold to say that if we durst dally or dissemble, we might as easily do it in this case as in any other. But we have loved still to deale singly with these with whom we have had to do, and dare not do otherwayes in the matters of God. It hath been the constant priviledge of this Kirk and a part of that great interest of Christ's Kingdome which the godly in this land have been at all times so carefull to assert and preserve inviolable, that humiliations and ffasts have not been kept but by the appointment of and for the causes agreed upon by the Kirk judicatures; and we look upon the precedent as of great consequence, for as the whole work of the daye's worship is prescribed to all the ministers of this nation without any knowledge or consent of themselves in Kirk judicatures, so upon the like ground there may be a prescription of the worke of more dayes, not only extraordinary, but ordinary, which hath been constantly declined by this Kirk upon grave and weighty reasons. We are confident your Lordship will be pleased to put a candid construction upon this our innocent forbearance,

and hope your Lordship will admitt of satisfaction. We have made bold to trouble your Lordship with this short and ingenuous expression of our minds, untill we have conveniency to wait upon your Lordship at greater leasure. We are, my Lord, your Lordship's humble servants,

Sic Subr. Mr ROBT. DOUGLAS.

Edinburgh, 29 October 1656. Mr DAVID DICKSON.

Direct

Ffor the Right Honourable Lord Generall Munk,
Commander-in-Chief of the Forces in Scotland.

A letter was received from Mr Sharp of the 22 November giving an account of the progresse of his negotiations there, and mentioning a letter written from Mr Samuell Rutherford to Mr Ash, one of the ministers of London, wherein he bitterlie inveighs. The true copie whereof he sends downe which follows..

Copie of Mr Samuell Rutherford's letter to Mr Ash

REVEREND SIR,—I am glad that my answer to Mr Hooper is making such progresse at the presse. Sir, I would recommend to you the bearer, Mr James Simpstone, a faithfull preacher of the Gospell. Be pleased to hear him. I trust he shall give you a true and faithfull relation of our affairs. You may be pleased to beleieve me these men who have borrowed your care to blake the godly in this land, and who have now both deserted us and the Covenant, and joyned first with the malignant party, and now brought the intrants to the ministry to give under their hand and subscription to the present powers an ingagement, the wreat calls it a resolution, to live peaceably and inoffensively under the present Government, that no godly man can get any maintenance in this land, and such as care not what an entry they have to that holy calling do embrace it. Those men seek more their owne things than the things of Jesus Christ, and being backed by the whole multitude of the wretched and profain, who

are for their way, as of old the prelaticall conformists did, do persecute the godly, and in pulpits and Presbyteries declare against us as unpeaceable and separatists. But the Lord, I hope, will clear us in His way. If you know what a ministry is now in Scotland, and how the people perish for want of knowledge, and are stumbled at the scandalous walk of the officers, ministers, and elders, whom those men patronize, it would wound your heart and the heart of any truly godly. But I spare, and begg the favour of your other eare.

SAM: RUTHERFORD.

Letter to M^r Calamy and M^r Ash

RIGHT REVEREND AND WELLBELOVED IN THE LORD,—
Wee have so little pleasure in meddling with these sadd differences which have continued in our Church now for severall years, and it doth so sadly afflict us that the Lord hath been pleased to exercise us with such a dispensation, that we have chosen rather to be silent than to trouble our dear friends abroad with any account thereof, which we knew could not but be greevous to them, to hear such things of a Church which some time the Lord did make perfect through His comlynnesse. But having lately heard from our Reverend Brother, M^r Sharp, of a letter written to you by M^r Rutherford, wherein he endeavours to represent the ministry and judicatories of this Church who are apposite to the course wherein he hath engaged, in a verie black character, we held it our duty to take hold of that occasion to lay out our heart unto you, our dear Brethren. We have this testimony that whatever M^r Rutherford thinks of us or others, yet he is verie dear unto us because of the gifts and grace of God in him, and his service done in the Church of Christ, and do attribute his keenenesse of spirit in this particular to his uncharitableness and his want of that measure of prudence which we conceive were requisite for managing a right of publicke differences, especially such as ours are. We could have wished he had otherwise employed his reputation and esteeme in

the hearts of Christ's faithfull servants, than to have it add weight to unjust aspersions cast upon men who desire to be found faithfull, and to render them odious abroad, who, we hope, are otherwise looked upon by impartiall and uninterested observers at home. For our part, we blesse the Lord we have been led of Him all along to abhorre that indirect and crooked way of loading persons with reproaches in prejudice of their cause, or of using reeriminations, when the slanders of that party have mett us from time to time to our no small disadvantage and trouble, but have always made it our study only to stand upon our owne defence, and to wipe off the dirt which hath been cast upon us and our cause. And albeit we do nothing doubt of your candour and charity toward us, and that ye will not receive any bad impression of us ; and for our own part, we are so acquainted with the bearing of such aspersions, and with the good of silent waiting on God, till He be pleased to clear us that we could willingly be silent at this time also. Yet we conceive we owe so much to the truth of Christ, which we do owne to the just reputation of the generality of the ministers of this poore Church, and to you also, our reverend and dear Brethren, as necessitats us to give you a breefe account of our condition.

We doubt not but it is too well knowne unto you what was the first rise of our publicke differences, and what were the pretences made use of by our Brethren to make their cause seem plausible, and to strengthen their faction, which they did prosecute so vigorously that shortly after the Assemblie at St Andrews and Dundee 1651, they proceeded to erect a pretended Commission of the Assembly 1650. And albeit that Commission was legally expired at the day of the meeting of the next Assembly in anno 1651, yea, albeit the generality of the members thereof did give their Commission and proceedings to be tried in that Assemblie, and were accordingly approven, and a new Commission given by the Assemblie, yet some few members, upon a pretence of the nullity of that Assemblie at St Andrews and Dundie, did judge of the validity of their

own protestation against it, and set themselves down as a judicatory which, for anything we know, might be a perpetuall court, seeing they alleage the continuation of their power till the next free and lawfull Generall Assembly; and none such can be had, so long as they please protest against it, even albeit the Presbytries and generality of the Nationall Church of Scotland should owne it, as they did at the ensuing Assembly 1652. At which tyme the Assembly, being sensible of the sad consequents of these encroachments, and of our divisions, and notwithstanding our Brethren did againe protest and decline that Assembly, yet did make an Act and Overture for peace and union, wherein they desired no more for taking off all prejudices which our Brethren might be under, by reason of their former actings, but only that they would passe from the protestations and declinatours which had made so lamentable a breach upon our Church government, and would promise not to keep up debates upon the matters of our differences, as these of the Assembly were also content to do. This offer our Brethren did reject, as hoping to speed better another way, and accordingly proceeded to act very irregularly for strengthening of their party. Some brethren within the bounds of a Presbytrie have erected themselves as the only Presbytrie of that bounds, and albeit the Synod did from one diet to another, for a year and a halfe, wait upon them that they might againe unite with the rest of their Brethren, for carrying on the common affairs of the Presbytrie, yet would they not hearken to the advice, but go on to this day to plant congregations as they please, and by their continuall protestations against the Synod and counteractings to their determinations, do frustrat all their endeavours for rectifieing any abuse, which is also the frequent triall and affliction of Synods from these Presbytries where our Brethren bear sway. Others of them do obtrude ministers upon congregations, sometime contrary to the minde of the whole congregation, sometime of the greater part thereof, upon the call only of 4 or 5, or some very few inconsiderable persons whom they are pleased to call the godly in the congrega-

tion. Yea, sometimes ministers of other Presbyteries do usurp power to put in a minister, not only against the hearts of the congregation, but of the whole Presbytrie to which that congregation is subordinate. And as sometimes they stand not thus to thrust in men even where the congregation is already orderly planted with a godly and able inrant, and that in a forcible and violent way, so we may say it with a sad regrate, that their irregular courses and greiving of good people (who are most desircous to have able and godly ministers, orderly called and admitted, among them) hath exceedingly stumbled many, and cast them upon the hazard of atheisme and contempt of religion. And yet as if this were not a sufficient encroachment upon the order and government of this Church, nor enough to promove their design and strengthen their party, some of them went a further length, and did procure an order concerning the maintenance of intrants to the ministry, to be allowed by the Commissioners of the English judges appointed for that effect, wherein Scotland being divyded into 5 provinces, no inrant was to have any stipend allowed him without a certificate from (at least) four of some ministers and others named for the respective provinces where the minister was to be planted, certifieing, in pursuance of the said order, the inrant's piety, and his disposition to live peacably under the present government. And however some were named as Certifiers, who differed from them in judgment, yet they conveyed the matter so as in no one province there were a competent number of them to give testimony to any inrant, though they had been free to do it. This procedure was so destructive to presbyteriall government, and so prejudiciall to many able, godlie young men, who could not in conscience seek a certificate in a way so contrary to the Church government, nor could expect it, if they were not of their opinion, that we held ourselves bound in conscience to deal with some of the Councill here about it; and they, considering the greevous sufferings of many ministers and their families, who had served so long in the ministry without maintenance, and being sensible

also how the State had been but abused by that order, did so interpose for altering of it, as upon the Presbyterie's certificate of an intrant's ability and admission to the Councill (a coppie whereof ye have seen) their maintenance should be allowed them, and themselves in their petition to the Councill, for preventing any engagement might be imposed on them, did willingly of themselves professe their resolution to live peacably and inoffensively under the present government, and their purpose through the Lord's strength, to labour with all diligence and faithfulness in all their charge, and to behave themselves in all things, as becometh the ministers of the Gospell. In which our interposeing we hope ye will see we have sought no speciall benefite to ourselves, as a faction or party (as hath been their way all along), but what is common to all the Presbyteries and intrants orderly admitted. And we hope also our reverend brother, Mr. Sharp, will acquaint you that he is intrusted by us to seek nothing but what tends to the good and benefite of this whole Church, and everie particular minister and professour in it.

While we are exercised with these things, a conference was the last year got on foot for union; and when our reverend brother there with you shall acquaint you with the passages thereof, we are confident ye will finde we have stood upon nothing for obtaining peace which might consist with the safety of presbyteriall government, and with the simple not condemning of our own judgement in the matters of our publicke differences. But nothing could content our Brethren except the government of the Church were (upon the matter) wholly overturned, and cast in a new modell, and a committee of equall numbers of both parties were got up to govern the whole Church, whereby the power of Presbyteries and Synods should be enervate, and our Brethren should have at least a negative voice in all matters. This is a way of government for which we see no warrand in the Word, and more tyrannicall (in our apprehension) than the yoke of prelacy; and although not only the equall halfe, but the major part, yea, and whole number, were men for the Assembly, yet we could

never hearken to a proposition so destructive to that government which we believe to be of divine institution, and to the maintenance whereof we are engaged by the oath of God.

When this did not take with us, they have not spared (as is usual for all men once engaged in a schisme) to follow their former trade of aspersing and traduceing the ministry and judicatories of this Church, as corrupt, and men who obstruct the Gospell, that so they may obtain a sole power to themselves, under the name of a godly party, as they are pleased to account and call themselves. And after their many unwearied endeavours of this kinde at home, they spared not to traduce us abroad, and are so earnest on their pursute that they care not to represent us not only indifferent, but even in contrary characters, according as they thinke men may be best wrought upon to take a bad impression of us. And however we might assert as to their renting from us, that these things laid to our charge were not the ground of their first rent in this Church, which they have hardly ever the confidence to mention as the cause of their continued irregularities, and it is not fair to forge new faults as an excuse for that which they did upon another account, seeing themselves know that while we continued united, there was no cause of such complaint, yet as to the matter of their accusation, we dare confidently assert that these aspersions cast upon the generality of the ministry is a mere forgery, and that we have not so learned Christ, nor dare do so, and as we cannot nor will justifie all and everie minister in this Church as such who might abide an exact triall, so we dare confidently say, there is no just ground for the great clamours which our Brethren raise of the corruption of the generality of the ministry. There is often occasion in Presbyteries and Synods of putting everie member, and them in particular, to it, to declare what they know of any minister within that bounds; and yet for the most part when they are seriously and solemnly obtested, these who are most ready to make a great noise in the pulpit or their ordinary discourses never appear with any information to be put

to due triall; and if either we ourselves know or they inform of any such report going upon any minister, we do not faile to put it to an exact triall, though oftentimes the reality or relevancy of informations given in by them is not made to appear. Our Brethren cannot deny that we have often told them that the not purging out of any scandalous or insufficient ministers (if there be any) who are not yet duly convicted thereof, is exceedingly obstructed by their not joining with us, but continue in their divided and irregular courses, hereby blunting the edge of discipline, and casting matters in a confusion and emboldening men to make censures void. And yet we may say it that we are not, to our power, wanting in that work. But in severall places, those of our judgement have cast out such ministers as were found to deserve it, and we have (as opportunity offered) planted some as godly and able men as have been put in of a long time. And if our Brethren would lay aside contention and hold hand to their work, we doubt not but through the blessing of God we should purge the Church sufficiently. It is also not unknown here that whatever clamour our Brethren raise for purging these of our judgment, yet themselves decline all triall of any of their partie. We have indeed been most tender of them, and since the Assemblie at St Andrews and Dundee have never censured any upon the account of the publike differences, but when there is any information given in against any of them as scandalous or insufficient, they decline all triall of the matter, and continue for that end to decline the judicatories as corrupt. And we have no lesse cause to complaine of their disorderly procedure against these of our judgment, where they have power, ffor they cast out men at their pleasure (and none but such as otherwise differ from them upon the publike differences), having nothing reall or relevant against them; and when these who are censured have recourse to superior judicatories for redresse, our Brethren keep their cause from being heard, and by their protestations cut off all subordination to their superiour judicatories, and by their counteractings (and sometime by tumultuary wayes of

some of their followers) do leave poor men under oppression without any possibility of a remedy, or a cognition of their cause in any orderly way.

Wee, dear Brethren, have been exceeding tedious in giving you this breefe sume of our ease. Yet this narration containeth but a small part of our vexation and affliction this way ; and we have taken the more freedome to poure out our sad ease in your bosome, as expecting and intreating for your prayers in behalf of this poor Church, and your endeavours with any of our Brethren with whom ye have power, to draw them yet to union and an accommodation, if it be possible. And if they will yet hearken to it, we are heartily content, for peace's cause, to bury all these injuries, and what they have done prejudiciall to the government of the Church. And if they will unite with us and submit to that government we are sworn to maintain, we dare promise there shall be as exact a purging of the Church as they can desire, according to justice. But if this will not satisfie them, but they will still seek another way, of Committees or any other course contrary to the established government, and out of the channell thereof, under pretence of seeking to purge the Church, we cannot be consenting unto it, except we would be perfidious to God and violate His oath that is upon us, and be wanting in our duty to the preservation of the liberties of the Church, wherewith we are entrusted to preserve them inviolable. We do heartily recommend you, reverend and dear Brethren, to the Lord and the Word of His grace, and are your verie loving Brethren and fellow labourers in the work of the Gospell,

M^r DAVID DICKSON. M^r ROBT. DOUGLAS.

M^r JAMES WOOD. M^r JAMES HAMILTOUN.

M^r JOHN SMYTH. M^r GEORGE HUTCHESON.

Edinburgh, December 2, 1656.

Direct

To the Right Reverend our wellbeloved in the Lord,
M^r Edmund Calamy and M^r Simeon Ash,
Preachers of the Gospell, in London.

Letter to Lord Broghill

MAY IT PLEASE YOUR LORDSHIP, — Being by many sinistruous and disingenuous wayes, sadly reflecting upon our persons, and other ministers of our judgement, taken, as we perceive, by our protesting Brethren to obstruct the successe of that just and honest errand on which our reverend brother, Mr Sharp, was sent up, necessitate to vindicate ourselves, that we may not, by lying silent under unjust aspersions, become accessorie to any prejudice which so good a cause may haply suffer through our sides, we esteem it no small mercy that we may communicat ourselves to your Lordship who are so well acquainted with our affaires and our Brethren's way of calumniating us and casting foule aspersions upon our Kirk judicatures, and have such place and opportunity to make knowen the truth of things concerning us to these in authority. As it was never our custom to speak evil of these, our Brethren, or diffame them, so we minde not now nor ever, by the Lord's grace, to take up that way, notwithstanding whatsoever provocations and injuries of this kinde done unto us, knowing that such sinistruous means of carnall wisdome and passion are neither needful nor suteable to a righteous and holy end, knowing also who hath taught us, both by His command and example, not to render evill for evil, railing for railing, but to overcome evil with good. Nevertheless when as calumnies and bitter suggestions are made use of against us, not only to render our persons odious, but also to prejudice a righteous cause for which we do stand, we could not without great guiltinesse forbar altogether to speak for the just defence of our innocency. How undeservedly we are charged with rigidity against our Brethren, some not sparing to affirme that we do censure them upon the account of the publike differences that are amongst us, and that we are implacable and altogether averse from union with them, yea, or raising a persecution against them, is so clear and evident, that it may be wondered at, that any man, were it but of naturall ingenuity and conscience, can hold up his face to affirm

such things ! We can and do assure your Lordship that since the censure of these four, Messrs. Guthrie, Gillespy, Simson, and Naysmith, at the Assemblie of Dundy (who yet were not censured for difference in judgement from us about matters in contraversy then, but merely for declining the Generall Assembly, which by that deed of theirs hath become a matter of difference since that time) we have not censured nor challenged any man upon that account, nor know we any judicature in Scotland that hath done any such thing. Yea, so farre have we been from rigidity against them, that, on the contrare, when many of them have most unjustly and with much bitterness traduced, slàndered, reviled, and affronted the judicatories, in their pulpits by wreiting and print, and in the face of the judicatures themselves, we have borne it, and do bear it to this day, patiently as the whole Kirk and Nation even beare us testimony. Neither is it our intention, if it shall be the Lord's good pleasure to grant the free exercise of our Kirk government, to make use thereof for censuring any because of these differences ; but we are willing, and shall be content, for the peace of the Kirk's sake, to bury them all as if they had never been. And in this mind and intention we have left no way possible to us unassayed for obtaining union with them. We have stretched ourselves to the uttermost of condescendency saving the truth and a good conscience, but all to no purpose, it being the resolution of some of them who are leading men to be satisfied with nothing unless they get the power of ecclesiastick government into their own hands, to which we cannot yeeld, unless we would overturn and destroy the government of the Kirk which we are bound by the command and oath of God to mantaine and preserve in our station, inviolable. Whereas some, thinking it not enough to slander us as dealing rigidly with our Brethren, are on the pursute of their designe so farre transported as to affirme that, whatever have been or are our professions of a resolution and purpose of peaceable and inoffensive deportment under the present government (yet these same spare not upon the account of that profession to accuse us here of

compliance, as a crime, how the representing of us in so contrary characters can be without grosse prevarication, we leave it to be judged by your Lordship's wisdom) we are not to be trusted as ingenuous men therein, this we must say is verie uncharitable dealing, to speak the least. We blisse the Lord that in all our proceedings and professions, we have gone upon principles of conscience and truth, which we have learned from the Word of God, and need not be ashamed of nor darre not vary from, and what we professe, that we are really trusting that through the Lord's mercy we shall have always this matter of rejoicing, the testimony of our conscience that, in simplicity and godly sincerity, not with fleshly wisdom, but by the grace of God, we have had our conversation in the world. We shall not alledge more for ourselves, as to the ingenuity of our profession in that matter, but shall let the innocency of our carriage in our whole way speak for it, which we humbly conceive, and cannot but expect in justice will be better believed, than our adversaries affirming the contrarie, untill we be found faulty. It is a sad matter to be thus accused as dealing deceitfully with men, and unworthy of beleefe. But it is a great addition unto our affliction that we are all so charged with unfaithfulnesse in the matters of the house of our God, that we keep in and foster scandalous and insufficient men in the ministry. We will not recriminat here, as we have just cause and might too truly. Only for ourselves, we may and will say that the Lord and His Kirks in the land are our witnesses, what exactnes in trying the gifts and conversation of in-trants to the ministry we have used and what care we have had in our Kirk judicatures that none were entered into the ministry of vacant congregations, but men fitt to preach the Gospell, and having the testimony of a godly conversation. And, as we have often pressed our Brethren to unite with us, and yet are ready and willing to unite with them in the judicatures of the Kirk, for the most exact way of trying and purging out of the ministry scandalous and insufficient men, that can be devised, providing it be according to justice in an orderly way,

so, albeit they have hitherto refused to unite with us, the judicatures have not been wanting in that work (as we can shew by severall undenyable instances), so farre as they could for the distractions of the time which are kept up by our Brethren and indeed are the main obstruction to the work. Much paines also, we perceive, is taken to persuade that, if the certificate of Presbytries be accepted for settling maintenance upon ministers, it will bring persecution upon our Brethren. This is a meere devised forgery and slander. As they cannot produce one instance of our troubling any of them heretofor (as to that which hath been alledged to be done of late in the Presbytrie of Sterline, the processe concerning the persones sent from the Presbytry will sufficiently clear it, to the shame we beleve of the informer), so we are not conscious to ourselves of any designe thereby to breed the least trouble to any of them, nor of any other intention therein ; but that honest men, lawfully and orderly called and ordained to the ministry by the respective Presbyteries upon due tryalls, and just approbation of their conversation and qualification for the work of the Gospell, may enjoy the maintenance provided by law for their accommodation and encouragement in their service. And as it is only competent to Presbyteries who do try and ordaine intrants, to certify concerning their conversation and qualification, and they are most able to do it upon knowledge, so our Brethren are not excluded from the common benefitt of the same priviledge.

We have by these things taken up too much of your Lordship's time, but necessity of just apologizing for our innocency hath constrained us ; and your Lordship's goodness, so much evidenced towards us, hath imboldened us to it. And now, having in sincerity and in truth cleared ourselves of these aspersions, calumnies, and evill surmisings against us, made use of to prejudice that just and honest cause wherewith our Brother, Mr Sharp, was entrusted, as we do humbly begge, so we cannot but expect that it shall not suffer longer retardment. Your Lordship knowes, we seek not our own interest, nor power

to be put in the hands of any particular persons, but to enjoy the liberty of our Kirk judicatures, the exercise of our government and discipline, as we have received them grounded upon the Word of God, settled by the uncontroverted constitutions of our Kirk, and ratified by the law of the Nation, and that, no intrusion of ministers upon congregations contrair to our established order being countenanced, such as are called to the ministry of congregations, by the orderly election of the people and ordination by the respective Presbyteries, may have and enjoy the maintenance appointed by law for their sustentation. And in these things we crave no more power than any of our Brethren, yea, than any the meanest minister or ruling elder have, nay, and it is to have with us. These desires we are confident will be, and are by discerning and unbyassed men, judged just and reasonable. And if it shall please the Lord that the enjoyment of these things be permitted to us, we trust, through His grace, that the managing of the trust upon our part shall be with such moderation, justice, and conformity to the rule of God's Word that our very adversaries themselves shall not have cause to speak justly against it. It is like there is some projecting now, and ere long there may be some employed and set on work to deale with his Highnesse for some other way of managing the affairs of this Kirk, than by the established judicatures and order of it. Your Lordship knowes well how his Highnesse was abused by the late order concerning the settling of maintenance upon ministers, purchased under a pretext of piety, and how ineffectual and every way prejudiciall it proved. And we can well assure your Lordship that if anything shall be yet obtained perteineing to the managing of our ecclesiastick affaires, which will runne without the channell of our Presbyterian government, or shall ever turne or prejudice the authority of the Kirk judicatures as they are settled by law according to the Word of God, let the pretext be what it will, it will not faile to prove of as little effect. We trust, in the Lord's mercy, that we shall never be accessory to the altering or overturning amongst us

any part of our reformed religion, in doctrine, worship, government, or discipline. Thus we have freely and in sincerity opened our hearts to your Lordship, and will leave the whole matter upon the Lord, expecting the continuance of your Lordship's favour and care therein, whereof we have had so ample prooffe formerly, by your dealing with us in your former way. And being instrumentall to obtaine our just and necessary desires (which are not for our own things, but for the things of Christ and His Kirk amongst us), we are persuaded you will do acceptable service to God, and no disservice to man, and will exceedingly refresh and encourage the hearts of, my Lord, your very humble servants,

Sic subr. Mr ROBT. DOUGLAS.

DAVID DICKSON.

Edinburgh, 2 December 1656.

JAMES WOOD.

Direct

Ffor the Right Honourable my Lord Broghill,

Lord President of his Highnesses Councill in Scotland.

Letter to M. Desbarrow

MY LORD,—As the civilities your Honor did afford us when you were here, and the assistance you have been pleased to give there toward the obteneing of our just and reasonable desires, do oblige us to the thankfull acknowledgment of both, and to wish they may be remembered for good, so the confidence of your candor, and that your carriage about that which doth not so much concern us, as the tranquility of this Church, hath been upon grounds of right reason, doth not only invite and incite us earnestly to beseech, but perswade us certainly to expect, the continuance of your care for accomplishing so good a work. You are not now to be acquainted what courses our opposers have taken to render us odious. It hath been their practice to cast foule aspersions upon us, and they are, no doubt, still walking on in the same way. But the conscience of innocency makes us bold to continue such ways, and the compassions of Christian charity do keep

us up from just and true retaliations. The sume of our desire is that we may be permitted to enjoy the order and government of this Church according to the constitution and constant practice, and that the judicatories thereof may have the free exercise of their power in matters ecclesiastick allanerly. Herein we seek nothing singular for ourselves, but that wherein all are concerned, and the dissenting Brethren are sharers as much as others, according to their place and vocation. Whatever expedient men offer out of the channell of the ordinarie judicatures, and with whatever colour it be varnished, to make it specious to the eye, it doth indeed subvert all the established order, and will bring on greater confusions in the Church which we know you will not allow. Your Honour may remember that his Highness was abused by some of that sort in the matter of the order about assigning of stipends upon the certificate of foure in every circuet, and will, we hope, be pleased to improve your power for preventing the like. We have presumed upon former favours that our present plannes shall meet with a favourable construction, and that our desires shall be entertained with all tenderness of care that they may be obtained; wherein there will be service done to God and good offices performed to this Church without anie after greif of heart. We recommend you to the Lord's mercy, as becometh your Honour's humble servants,

Sic subr. M^r ROBERT DOUGLAS.

DAVID DICKSON.

Edinburgh, 2 December 1656.

JA: WOOD.

Direct

Ffor the Right Honourable Desbarrow,

One of his Highnes Council in Scotland.

Letter to Collonell Wetham

RIGHT HONOURABLE,—Upon the acceptance we had with you when you were in this country, we have thought it incumbent unto us to testifie by these, our thankfull acknowledgement of your former favours, and to intreat

for your help toward the obtaining of our desire for the free exercise of presbyteriall government and discipline, as it hath been established by the lawes of the land and in constant practice amongst us. How much the opinion and practice of our dissenting Brethren, commonly called protesters, swerve from the sound principles of presbyteriall government, you are able to judge, and did clearly enough perceive when you were here ! Their common practice hath been to burie us under a load of calumnies, that upon the ruine of our good name they might make a way to the ruine of our good cause. But as rationally and just men will not permitt themselves to be possessed with prejudices against the cause of equity, because of the reall faults of the person that stands for it, so religious men will not receive a false report against their neighbour, especially where they have good reason to suspect new misreports by the discoverie of former misrepresentations, and by the reporters driveing on their owne interest thereby. Wee seek no pre-eminence for ourselves. The free exercise of presbyteriall government in ecclesiastick judicatures is inconsistent with the domineering of anie, and necessarily urgeth parity. Our Brethren are equall sharers with us and others in the liberty of suffrage ; and if a few suffrages, because they carie not the conclusion to their mind, must needs protest and sett up for themselves, there cannot any society, civill or ecclesiastick, enjoy quietnes under its government for a day, but be broken into fractions and factions to the destruction of the whole. Their needless clamours against permitting Church judicatures freely to exercise their power in ecclesiastick matters, as opening a door of persecution against them, may be soon silenced by anie that consider that we do not censure any upon the account of these differences that are amongst us. They will be ready to propone some specious course, but running out of the right channell of ordinarie judicatures, that they may subvert the established order, and do what they list without giving account unto the lawfull court of Christ, once acknowledged by themselves. The ordinance for giving orders to ministers

for uplifting stipends upon a certificate from some in a circuite, whereof four might be a sufficient number, was an expedient of that kind, in which his Highness was abused by some of these men. It is expected that they who saw the inexpediencie of that way, whereby the testimonies of the ordinare judicatures were enervated, and all their actings for admitting of ministers unto flocks in a lawfull and orderly way were rendered ineffectuall, will be vigilant for the preventing of such extra-judiciall courses; and of your Honor it is expected as much as of anie, you being acquainted with our principles. In doing thereof you are about your dutie to God and His Church, and engaging the affections of all that love the wellfare of our Zion, which is earnestly recommended to your care, and yourself to the Lord's mercy, by your Honor's humble servants, *Sic subr.* M^r ROBERT DOUGLAS.

DAVID DICKSON.

Edinburgh, 2 December 1656.

JA: WOOD.

Direct

Ffor the Right Honourable Collonell Wetham,
One of his Highnes Council in Scotland.

Instructions for our Reverend Brother, M^r James
Sharp, in reference to any who are already at
London or shall be sent up from our dissenting
Brethren

24th December 1656.

If you shall be called to speak of the matters of our Church before these who are sent up by the meeting of the protesting Brethren, you shall declare, I., that your appearing is not to speak of matters ecclesiastick with men deposed by the Generall Assembly.

II. As for your being there, you shall declare and make known what your bussinesse is, that it is not to agent and propose desires for any new thing in the behalfe of the Church, but that you are sent to press that simple desire of having the liberty of the free exercise of presbyteriall government as it hath been established in this Church,

which any private man or minister might make supplication for, which libertie we intend, by God's grace, to manage with such moderation, justice, and equity as it may appeare. We are not seeking the hurt or ruine of our Brethren, as they without ground give out, but sincerely desiring that our Brethren may be sharers with us in all the desired liberties, fruits, and comforts of our approven and established discipline. And if these who are to come up from our Brethren shall make the same suit, it is well. But if they move for any new thing, you shall declare that neither they who are but private men, sent by an extra-judiciall meeting, nor any other persons whatsoever, can deal in matters of publicke concernment without a commission from a Generall Assembly. And because of this if it be expected that some should come from us, because of the coming up of these who are sent by our dissenting Brethren, and if, as it is possible, such a thing be desired and overturned as a mean of union by those who come up from them, as pretending hereby to the desires of peace, you shall declare, 1, That it cannot be expected that any of us, who stand for the interest of the Church judicatures, can come to treat of matters of so publike and generall concernment without a commission from an Generall Assemblie of this Church, neither have we power to commissionate any for that effect. 2, That for any of us to appear as private men were to no purpose, and would prove but an unnecessar and an unprofitable troubling of the ears of judicious and wise men who are in place and power, with debates and velitations *pro* and *contra*, especially the hearing being at such a distance, where it is impossible that matters can be cleared on either hand.

III. Because we have too much reason to apprehend that these commissionate by our Brethren, instead of helping forward our just desire forsaide, will prove accusers, and labour to fill the ears of these who are in power with loud aspersions and imputations of the corruption of our judicatorie, and abounding scandalls and insufficiency of the ministry, you shall plead for so much justice and

equity to be done to this Church, as to have them to give in particular instances of these judicatories or persons in the judicatories which they accuse as corrupt or scandalous and insufficient ; and you shall desire the particular accusations may be sent home to any competent judicatorie, that they may be tried upon the place whether true or false, giving assurance that we shall sincerely endeavour the purging of the judicatories and of the Church from all known corruptions and scandalls, proveing always no other procedour herein be required of us, but according to the known rules of our discipline, which being duly observed and managed with equity and justice, we trust will be more successfull than any new and extraordinary course which some interpon for.

IV. If it be alledged that our punctuall cleaving to the ordinarie rules and established order of our discipline doth prove an obstruction to the work of the Gospell, to the increase and fruits of piety, and the effectuall purging out of scandalls, you have to answer that the records of our Church, together with latter experiences, do testifie the contrair, that as God hath ever blessed the approvyn Rules of our Church discipline, making our established order the effectuall mean of repressing errors and curbing scandalls, so nothing hath at any time bred more confusion and growth of impiety than the declining from the ordinary and right rules of our government.

V. If it be objected, but so it is at present, that the judicatories of our Church are corrupt, you have to answer, 1, That this is alledged by them, but never made out hithertills. 2, It is verie hard, if any party corrupt in judgment and practice in reference to government shall be heard, to charge judicatories with corruptnesse, and if liberty be granted to a few discontented men to purge a Church at their pleasure, this assuredly will open the door to all confusion both in Church and State : for, by the same law, a few malcontents may be upon them to purge armies, parliaments, counceills, and all Church judicatories, upon their own simple alledgeance that they themselves are only pure and all others corrupt, which absurdity, we desire,

may be the rather taken notice of, because it is the verie root of the whole contraversie betwixt us and our Brethren. 3, They themselves are members of some of these judicatories, and so will be both judges themselves together with us, and witnesses of our exactnesse in proceeding according to justice.

VI. If these who are sent up shall putt in for a committee of equall number to order Church affairs here, you shall declare that this cannot be yeilded to by us, it being destructive to our established government, as hath been oftentimes declared unto them.

VII. If it shall be alledged that otherwise they will be overswayed with plurality in the ordinarie judicatories, you have to answer, 1, That though it be essentiall to all established judicatories that matters be carried by plurality, yet we hope it shall appear unto all unbyassed men that nothing shall overway but reason. But, 2, you shall let it be known that the actings of our judicatories are open to the eyes of many beholders, neither do we decline the most searching observation of any witnesses whatsoever, being confident so to proceed and judge as all who know our discipline shall be convinced of the equity thereof, and of our way of managing the same.

VIII. If it shall be alledged, further, that there is a great difference betwixt a Church *in statu pacato* and *in statu turbato*; and that a Church in this last-mentioned case requireth extraordinary remedies, as in the work of Reformation from Poperie, and our late condition under Prelacie, you shall answer, 1, That we acknowledge no such state of the Church amongst us, wee having, through the mercie of God, a constitute Church, orthodoxe in doctrine, pure in the rule of our worship and discipline, having also the free exercise thereof, except so far as our Brethren have made and do make obstruction thereunto, who hereby are become the authors and cause of the troubles that are. And how unreasonable is it, and of how dangerous consequence, if a few discontented men in a Church or State, rising up to molest the same, shall have leave to plead for extraordinary remedies, to remove the

troubles and distempers which they themselves have created ! 2, If any State or Church shall be said to be *in statu turbato* when some private men make factions and divisions therein, we shall hardly finde a peaceable state of Church or Commonwealth anywhere. 3, As to the comparison taken from the estate of the Church under Poprie, and of late times under Prelacie, you shall hold forth that our case cannot be compared with either, we being, through the goodnesse of our God, delivered from Poprie, and being without fear of Prelacie, if our Brethren were not seeking by their irregular propositions an prelatick power of the Church, so that it may easily appear, if they would cease their troubling of this Church, we have no disquiet state, nor any impediment in the exercise of discipline.

IX. If you shall learn that these who are sent up do plead for an power to purge the Church according to their principles and way, you shall earnestly desire that they be put to it, to condescend and agree upon these their principles and way, which if they be found agreeable to the government professed by them as well as by us, it is well, but if they be found against or without the channell of presbyteriall government, we must disclame both their principles and way.

X. Fforget not herewith to represent concerning what was obtained formerly of his Highnesse by misinformation, how prejudiciall it was unto the entry of many able and godly expectants of the ministrie, as is well known to his Highnesse Councill here, which moved them to interpose for some remedie thereof, so that we hope the inconveniency of that way whereof they have had prooffe and experience formerly, will make the like to be shunned in times coming. You shall also humbly hold forth how hopefull we are that his Highnesse will put no power in our dissenting Brethren's hands, which may expose the generality both of the ministrie and people in this Church to the arbitrimt of an discontented faction.

XI. If they shall alledge that the giving of power to the Church judicatories is to expose them to persecution,

you have to answer, 1, That it is most sure that the government itself in its own nature is not apt to produce any such effect, it being approve in the Word of God, and managed with comfort for many years, whereas any power given unto them, which is not according to the rules of our established discipline, cannot but prove destructive. 2, Any opposing party may bring this alledgance against whatsoever government, that they fear to be destroyed thereby, because it's against their minde. 3, It is far from our purpose to trouble our Brethren, much lesse to persecute them, for the matter of our publiet differences, wherein is the ground of their fear. Neither can they produce, to our knowledge, one instance of any judicatorie proceeding upon that account, though we cannot but grieve and lament it before the Lord to finde them covering and sheltering much offensive and scandalous carriage under this pretext of alledged persecution. We trust we shall make it evident to the world that, without any respect to the matter of publike difference, our government doth censure impartially all such as are found scandalous or insufficient. And we do obtest our Brethren that they with the like impartiality would concurre with us in censuring all such, and not impede the cause of discipline against any that shall be found such amongst them. But we have cause sadly to regrave it that it seemeth altogether impossible to finde them satisfied with any judicatorie, except they may be alone judges, or have the overswaying power in them, for no judicatorie, proceeding never so justly, can satisfie them, except the sentence be to their minde, as is evident by that which was done upon verie just grounds in the matter of Sterling by his Highnesse Councill, wherewith they are so far from being satisfied, that they complain of it to this day. And how can any in reason expect that these men will be satisfied with the most just proceedings of any Church judicatorie, if the censure crosse their opinion and the interest of their partie? From this selfe interest hath proceeded all their protesting against their declyning and abusing the Generall Assemblies and other inferior

judicatories of this Church, because their minde was not followed, and their unreasonable desires not yeilded unto.

XII. If it be said that you have accused them, or, by representing these things, you do accuse them, as hereby holding them forth as men whose principles can agree with no government, either civill or ecclesiastick, you have to answer, 1, That hithertills you have given in no accusation against them. 2, That what you are necessitated herein to speake concerning them, is in the necessary defence of our innocency against their unjust aspersious. 3. For the unsuitableness of their principles to government, as their own papers printed, in the view of the world hold forth no lesse, so the controversie they have prosecuted against us about the constitution of judicatories, together with their daylie practise, makes it too evident.

XIII. If, as we are informed, they who are sent up shall deal for the expunging of the clause in the intrant's petition, viz. the resolution to live peaceable and in-offensively under the present government, out of tender-nesse of conscience, as they say, being a barr, as they alledge, to the entrie of young men of their judgment unto the ministrie, you shall nowise oppose or hinder them in this desire, for if it shall please his Highnesse councill to accept of petitions without that clause, we shall be as well satisfied, who resolve, with it or without it, to be the same in our peaceable deportment.

XIV. In all their propositions and motions for union, you shall declare, as formerly you have done, that we for our part, notwithstanding all wrongs done, are content to burie all these differences, and to joine in any work belonging to us within our own line and sphere, meddling only with matters ecclesiastick as our overtures and offers to them do abundantly testifie, the proccedure always being according to the known rules and established ordour of this Kirk.

XV. Beside these present instructions, you shall make use of what you have received from us formerly, so far

as in your prudence you may finde them contributing to the furtherance of your businesse.

Mr ROBERT DOUGLAS.

G. HUTCHESON.

DAVID DICKSON.

Mr JAMES HAMILTOUN.

Mr JAMES WOOD.

Mr THOMAS GARVEN.

Mr MUNGO LAW.

HUGH M'KALE.

Mr JOHN SMITH.

Letter to Colonel Wetham

RIGHT HONOURABLE,—Though before this we did take the boldnesse to trouble your honour with a few lines, yet having had so frequent an account from our Reverend Brother, Mr Sharp, of your activity and care in behalf of us and the affairs of our Church, we could not but account ourselves exceedingly obliged to expresse our thankfull and humble acknowledgment thereof. As we perceived your Honour did clearly understand the state of our affairs, when ye were here upon the place, so we beleieve you do look upon them as the matters of Jesus Christ, and that it is for His cause, and expecting your reward from Him, that you are encouraged to appear in them on our behalf, who (we doubt not) may be represented in many black characters to them who know not us and our way. And for our part we trust it shall be our care, so to behave ourselves in our stations, as your Honour shall have no cause to be ashamed that ye have owned us in our adhering to that cause, which we are by the command and oath of God obliged to preserve. Wee need not acquaint your honour how unjustly we are tradueed at home and abroad by these who desire a power to themselves raised upon the ruine of the liberties and government of this Church. We know you can distinguish betwixt pretences and what is reall, and we dare verie confidently assert it that we have not to this day desired anything for our own private advantage or interest, but what is the common benefite of the whole Church, theirs as well as ours. And whatever clamours they raise about the corruption of the judicatories, or generality of ministers, and the necessity of purging, we do declare that as these are but unjust asper-

sions, so we are ready, if they would unite with us in the judicatories, to goe about the triall of any scandalous or insufficient ministers that may be in this Church in the most exact way, according to order and justice, and in the meantime are not wanting in that work to our power. Though we hear that severall are to go up from our Brethren to agent their affairs, being intrusted by their party contrary to the order of this Church, yet we will not doubt but your Honour will judge of causes abstractly and as they are in themselves, without an eye to persons or their activity, and will be carefull that we suffer not prejudice or be condemned unheard. We hope it will not stumble any that these men appear there, who are known to be the prime leaders of that party, and the most active beginners and promovers of all that bussinesse here. We might also make a bussinesse of it by sending up others, but that, being private persons, we cannot impower any to transact in such affairs, which is only competent to the Generall Assemblie of the Church ; nor have we any new desire that may need such a course, but only that we may be permitted to enjoy our former liberty in the matters of Church government. And whatever may be asserted by our prejudice there, we conceive that is not the fitt place for trieing of particulares, nor can we see what good we could do there, unlesse it were to trouble judicious ears with stories of matters of fact, the truth whereof can be found out only upon the place. And therefore we do committ the whole matter to the Lord, and do rest confident that your Honour (with others who have been pleased to appear in this businesse) will be carefull that nothing be granted them prejudiciall to the government of this Church. We recommend your Honour to the Lord, and to the Word of His grace, and are, your Honour's humble and obliged servants,

Edinburgh,
December 24th, 1656.

Sic subr. DAVID DICKSON.
M^r ROBT. DOUGLAS.

Direct

To the Right Honourable Colonell Wetham
of his Highnes Councill in Scotland.

Letter to Colonell Lockart

RIGHT HONOURABLE,—Having heard of your Honour's saife return, we thought it incumbent and necessarie for us to write unto you to remember you of our sad condition by reason of our wofull divisions, wherewith you were sufficiently acquainted before you went up from this country, and to lay before you how serious and diligent we have been hithertills for obtaining union with our Brethren, dissenting from us in judgment (with regard alwayes to the preservation of truth and a good conscience) though without successe: which is to us matter of greiff and sadnesse of heart. In the meantime, whilst these unhappie differences continue, this Church hath sustained no small disadvantage, lying out of the possession and the allowable use of her established order and government, for the order procured from his Highnesse by misinformation, for regulating the entrie of expectants to the ministrie, hath been so verie prejudiciall to the work, which it did pretend to further and advance, that his Highnesse Councill, finding the inconvenience thereof, were moved to interpose for a remedy, by another more regular course, which might better consist with the principles of our discipline, which accordingly was begun before their rising. And that this may be perfected and made effectuell, we have sent our Reverend Brother, Mr Sharp, to deal that the giving of certificateats for intrants may be settled on Presbyteries, to whom of right it doth belong, and also to desire, that we may be permitted to enjoy the libertie of our Church government and established discipline, as our Brother, Mr Sharp himself, can more fully informe you, and give you the knowledge of what else concerns our case. Therefore it is our earnest request to your Honour that you would be pleased to countenance him in his just desires, and so farr to be assistant to our cause, that no power be granted to any, destructive of, or not agreeable to, our established government; which undoubtedly will prove as ineffectuall as the former order, for we may assure your Honour that no excentrick and

heterogeneous course, out of the line and channell of our approven government, whatever lustre and plausible pretext may be putt upon it by any who interpose for it, will ever prosper in this Church. And we speak this so much the rather, because we understand that some are sent up from an extrajudiciall meeting, whose motions and propositions for this effect we have cause to fear. But although wee, being but private men, cannot commissionate any to deal in matters of publike concernment, nor can any of us undertake such a bussinesse without an commission from a Generall Assembly, yet we expect so much justice at the hands of these in power, that however these men employed by our Brethren be looked upon for their influence upon their partie, and whatsoever colour may be put upon their bussinesse, that yet our cause may be weighed in an impartiall and just ballance, which, being rightly pondered in itselfe, we are confident will abide the prooffe, and stand firme against the opposition of all whatsomever, being warranted by the Word of God, and allowed by their own profession. Also we look for so much charity, that whatsoever is spoken against us or our way may be examined and tried in the competent judicatories of our Church, where we are hopefull such matters shall be cleared to the satisfaction of all who are unbiassed in their judgment. For as we dare call the searcher of hearts to witnesse, that we intend not any hurt or prejudice to our Brethren dissenting from us in judgment, but are sincerely desirous that they may be joyntsharers with us in the comfort and fruit of our desired liberty, being most willing to bury all matters of debate and difference betwixt us and them, and to act in a joynt way within our own sphere and line in matters ecclesiastick according to the known rules of our established discipline, for the common good and benefite of the Church, so we cannot but hope that if these in place and power were rightlie informed of the constitution of our Church, and of our way of managing the approven discipline thereof, how sensible a blessing hath followed upon the keeping this good thing committed unto us, and happily trans-

mitted unto our hands by the zeal and care of our first reformers ! And how wofull inconveniences have followed on the contrair, when there was at any time a swerving from this comelie order and government ! It would be no grief of heart unto them to grant our so pious, so reasonable, and just desire. Wherein being conscious to ourselves that we are not seeking power to ourselves, but such as is of common interest to all the members of this Church, wee are hopefull of your Honour's favour, and whatever God shall move your heart to do for the promoteing and furtherance thereof, as it will be good service to Him and His Church, so it shall oblige us to be your Honour's humble servants,

Edinburgh,

Sic subr. DAVID DOUGLAS.

24th December 1656.

M^r ROBERT DOUGLAS.

Direct

To the Right Honourable Colonell William Lockhart,
ane of his Highnesse Councill in Scotland.

Letter to M^r James Sharp

REVEREND AND DEAR BROTHER,—Altho' it cannot but be afflictive to us, and no doubt it is verie greivous to yourself, that the bussinesse ye have been and are about, wherein our Lord is so much concerned, hath and doth as yet suffer such letts and delayes, and that your paines and expectation therein is so long disappointed, yet, as we are much satisfied with the full and faithfull accounts ye give unto us of all your proceedings and occurrences about it, so we are verie sensibly to our great comfort in our affliction convinced that our good God hath not left His cause in your hand without a testimony of His owning of it and of your service in it. We see indeed, Brother, that He has been graciously with you, in furnishing yourself with counsell and strength to manage your trust with prudence, vigour, and constancy, notwithstanding the many difficulties you have had to wrestle with, in discovering and bringing to light the hidden things of dishonesty and crooked wayes of adversaries there, and in

moving the hearts of such eminent persons to beare witnesse with you to the justice of our cause, and to the innocency and uprightness of our way, so aspersed by false mallicious calumnies. These things, as they ought to be matter of thanksgiving and blissing from us to His great Name, and obliges us the more to trust in Him that whatever obstructions and seeming disappoints may interveen for our exercise, yet He will carie on His own cause in our hands, we following our duty in relation to it, with patience and humble waiting upon Him, so we no wayes doubt are and will be a strong encouragement to you, to go on in the strength of the Lord and power of His might in that good service, without fainting and without wearying, while He shall be pleased to take you off it, which we trust He will do in His good time with much peace in your spirit, whatsoever the event shall be. We cannot but, considdering the weight of the bussinesse you have in hand, the restlesse endeavours of adversaries, especially such a recrute of their forces being now cuming up, and the great paines you must needs be at by reason of all these, be sensible that you must be pressed much with a desire of some to be sent up from us to concurre with you. When we consult our own hearts we cannot say but, were we in your case, they would be ready to desire the same. And verily we were very ungrateful for your former great and faithfull paines taken already for the cause of God and us, if we should not send up some to beare part of the burden with you, were it not that upon mature deliberation, considdering all circumstances and consequences, we have unanimously found it altogether inexpedient for the cause, yourself and us, to honour these men (of whom some do stand in such a condition as you know) with competitions to enter equally in the lists with them. Therefore we have thought it now expedient to send up some instructions expressing our minde fully concerning what may happily be represented by them, to be managed by yourself alone, which we are content with, and desire you will be pleased to shew a copy of to the reverend ministers of London and to any others you

think fitt. We have also writen letters to some other persons, as ye desired, which are left open to be perused first by yourself (as we would have done with these sent before this, if we had knowen it might have been done conveniently), and then after sealing to be delivered by you to them: Deare Brother, seeing we are convinced of the great inexpediency of sending up more of our number to appear in competition with these that are coming from the Protesters, we hope ye will not take it in ill part, and we trust, through the Lord's mercy and grace, ye shall be sufficient for them all, so farre as it shall be convenient and competent for you to appear against them. They can bring no new thing which ye have not already answered, but babling clamours which ye will not have ado to trouble yourself with. They have an unjust cause, and nothing but lies and calumnies wherewith to bear it out. Ye have truth and the interests of Christ. The Lord who can make one enough against a thousand, and two against ten thousand, hath been and will be with you to acquite yourself in that service of His. As for that overture of yours concerning a representation of our condition and affaires to be sent up, we think it verie necessarie and shall endeavour to satisfie you in it. Ye know it will take some dayes to frame it, but we hope (God willing) to have it at you before these sent from the Protesters doe arrive there. One thing we would earnestly recommend to you (for which also you will see we have written to my Lord Broghill) that ye endeavour, by all means, to get the Certificate for intrants settled upon the Presbyteries (whatever come of the other particulars in our desires), if possibly, may be, before the Protesters come up. As for the matter of Mr Calderwood's history, you may assure them there that any pretended copy of it that can be there, is but counterfeit and suppositious, for all the genuine authentick coppies owned by the author is in the hands of persons to whom himself did entrust them by his testament. And if any shall print such a counterfeit copy, they may certainly expect it will be to their losse, for the authentick is presently preparing for the presse and

will be ready so soon as is possible. We heartily recommend you to the Lord's rich grace, and shall not cease to be concurring with you in your weighty service by your requests at the throne of grace, as the Lord shall enable us. We are your verie loving brethren,

Sic subr. DAVID DICKSON.

Mr ROBERT DOUGLAS.

JAMES WOOD.

Mr JAMES HAMILTOUN.

GEO: HUTCHESON.

JOHN SMITH.

Edinburgh,

25 December 1656.

Direct

Ffor our Reverened and Loving Brother,

Mr James Sharp.

Letter to Lord Broghill

MAY IT PLEASE YOUR LORDSHIP,—We could not have the confidence to trouble your Lordship so much with our businesses, but that your owning of us, and your acceptance of our former applications, doth embolden us upon all occasions to acquaint your Lordship with our thoughts and desires. And we have been so much refreshed with the account sent us from time to time by our Brother, Mr Sharp, of your Lordship's care and tendernesse, and your active putting on for obtaining our desires, that as we pray it may be rewarded by the Lord, and do purpose by His grace so to behave ourselves, as may witnesse for us that we are not insensible thereof and your Lordship may have no cause to be ashamed of your owning of us, so we are encouraged hereby at this tyme to expresse our thoughts concerning that bussinesse unto your Lordship. We cannot but apprehend by Mr Sharp's long continuance there without an answer, and even by your Lordship's activenesse in the matter, that there are no small difficulties lying in the way of it, and that others in power do stick much at the granting of our desire, as not being so well acquainted with our Church government as your Lordship, and being doubtfull of our managing of that trust as becometh, and that so much the rather, as they are con-

tinually pressed and solicited to the contrary by our dissenting Brethren who pretend to be friends to presbyteriall government. We shall not, in this case, trouble your Lordship with any repetition of the equity and justice of our desires, or of the sincerity of our intentions, nor presse your Lordship to prosecute your purposes, when you finde difficulties insuperable. But as we do, and ever shall acknowledge your Lordship's favour and respects to us, so we dare not be anxious about the successe of your endeavours, but having done our duty in our station, will leave the matter on the Lord, who ordereth all things for the good of His Church, though it be the saddest of afflictions to us to see the prejudices which the witnesses of Christ do sustain by our confusions, and beleve the granting of our desires would not be prejudiciall to any interest whatsoever. Only if there be any small ground for our apprehensions, and your Lordship do indeed finde that the bussinesse is so difficult at this time as it is not like to succeed, we crave leave, as formerly, to lay open our case to your Lordship and beg the continuance of your favour and care, for preventing, so farr as may be, the sad prejudices of the delay of that businesse.

Your Lordship is not ignorant, and we are so sensible of the activity and diligence of our Brethren (to say nothing of the indirect wayes they take), that we cannot expect but this poor Church will be run down by their violent courses, unlesse your Lordship continue to leave good impressions of our principles and way with those in power (as we trust your Lordship hath ground to do for your knowledge of us), and have a care we be not condemned upon untryed allegiance of adversaries, and that power be not given them out of the channell of the Church government, established among us, which we make no doubt to obtain of your Lordship's goodnesse. We do also intreat and expect that your Lordship will be carefull that what you have begun concerning that order (by the procuring of which his Highnesse was not a little abused) be perfected, and that the power of giving certificates to intrants into

the ministrie be settled upon Presbyteries, which is a favour common to our Brethren and us, unlesse they will have power only in their own hands. As for that clause in the intrant's petition, of a resolution to live peaceably and inoffensively under the present government, which our Brethren do look upon as a sinfull engagement, and a shutting of the door upon young men of their judgment, who professe they cannot do it, because of conscience, wee professe we see no sinfulness in that resolution, but do acknowledge that it is a duty to which God calls us in His Word, to behave ourselves peaceably under the various dispensations of Providence, as becometh ministers of the Gospell and men professing Christ, and that so to do is most suteable and aggreable to the Protestant religion and the principles thereof. Yet we are so far from driving any designe in it, or to make it a bar against any of their judgement, that we can desire (if it shall please his Highnesse to condescend so far to them who scruple in conscience at it) it may be left out altogether; yea, it shall be great contentment to us how much condescendence be let out for satisfieing such, being hopefull that however it be ordered, as to that clause, our peaceable deportment shall prove us still the same.

We do againe crave pardon thus to trouble your Lordship, and do desire and intreat that (whatever shall be the successe of our maine bussinesse) what concerns that order may be concluded with the first convenency. And when that is granted, albeit our Reverend Brother, M^r Sharp, may be now wearied of his employment, and his charge (after so long absence) do long for him, yet, if it so seeme good to your Lordship, we shall desire him to stay still till he see what this meeting of November 25 (so much spoken of) may produce, and that he may (if need be) answer anything that shall be suggested against us. And as he hath been still on the defensive, without giving in any accusations against them, so we trust he shall continue to be tender of reflecting upon them, further than the necessary defence of our innocency shall require. We do heartily recommend your Lordship and your family to

the Lord, and to the work of His grace, and are, my Lord,
your Lordship's humble and obliged servants,

Sic subr. DAVID DICKSON.

M^r ROBT. DOUGLAS.

M^r JAMES WOOD.

Edinburgh,

25 December 1656.

Direct

Ffor the Right Honourable The Lord Broghill, etc.

Letter to M^r James Sharp

REVEREND AND DEAR BROTHER,—Though the Protesters here do carrie their matters very closely, and these who are to come up will (we doubt not) keep up their instructions so much as they can, that they come not to your knowledge, yet, so far as we can conjecture, their scope in their negotiation will tend—I. Toerie up themselves, as not only sent from an extrajudicial meeting of godly ministers, elders, and professours throughout the land, but that these of their meeting from severall places are representative of all (or at least the generality of) the godly in the land, in their respective bounds. II. They will make a great noise of their condescendence and offers of peace to us, and that (reserving the freedome of their judgments) they are content to joine and act with us in all matters according to our uncontraverted principles. III. They will make a great complaint that we are seeking to have a Generall Assembly, secluding them, to their prejudice, and that, whatever we pretend, yet, as matters stand, if we had a Generall Assembly, severall of their ministers would be secluded, as being censured and not owned by us, and ruling elders of their judgment will be secluded by the Act of the Assembly 1652. IV. It is like they will offer and desire, for remedieing of their greevances, 1, That there may be an union among all the godly in the land; 2, That a committee of equall numbers be erected to continue, till the judicatories be purged, and for settling of former differences; 3, That they will be content the English, or some entrusted for that effect, be overseers in the matters of our differences; 4, That (at least)

matters be so carried, that we have no power to hurt them in their way.

Albeit yourself be sufficiently able to answer what they speak of themselves, and how irrelevant that title they take to themselves (suppose it were true, as it is not) is, in the debate of a matter of right and wrong, and our former instructions may informe you what our thoughts are of all these particulars, and how unsatisfied we are with extrajudiciall wayes, and these committees, and how farr it is from our thoughts to seek their hurt and prejudice, by desireing permission to enjoy the common favour of Church judicatories, or to wrong them if we had the liberty thereof, yet we thought it necessary to suggest these few particulars unto you: 1, You may easily make it appear from the papers of the last Conference, how untruly they assert their minding of peace, only if they might enjoy the freedome of their judgments, ffor there it is apparent that all that and more was yeelded them, but they would never hearken to peace unlesse they were permitted to keep up their declinatour against the very being of the former Assemblies, and had a committee of equall numbers agreed unto. To yeeld unto the first was in effect to renounce our own judgments, or at least permit them with our consent to overturn these judicatories as null, when they pleased, or had power. And the second looked, and yet looks on us, as overturning the whole government. 2, You may also clear that however they professe they have been much for union with us, yet they would never agree to yeeld that submission to the judicatories, and acknowledge that subordination in matters of ecclesiastick discipline to which we did and do heartily assent for our part, and without which the government can be of no force or effect, or can either it or our union stand, but when they please they will act in a separate way, yea, and contrary to the actings of the established judicatories, as they have already practised. 3, You may inform them that their desires to unite with the godly (an expression very frequent with them) is a clear evidence that they seek not an union of the Church, but

with some few (whose respect with the people retards their course), secluding the Nationall Church and judicatories, which we cannot be consenting unto, unlesse we would consent to ruine the Church. 4, Ye may from your instructions clear that we are so far from seeking a Generall Assembly (save in so farr as it may be comprehended in the generall desire of a permission to enjoy the liberty of Church government) that for the time, and as matters stand, if it should be granted or offered, or if we had all our liberty, we do not think it fit to start new contentions by conveening one. 5, Ye may informe, that there is so little cause of fearing that we shall seclude or hurt them if we had an Assembly, or that they should propound these exceptions concerning their elders, that if they will be content to bury these differences, that they do not afterwards disturb the peace of the Church, and will joine with us in our common and necessary duty, according to our uncontraverted principles, and will promise to observe with us that due subordination, which is the basis of our government, we will take care (as formerly we offered) for removing all these censures inflicted on any of their ministers, or any bars putt in the way of elders of their judgment, and we will so manage the government and deal with them, as if the differences never had been. And whatever be their resolutions, yet we purpose (as hitherto we have done) to manage any Church power we have with such moderation, as shall satisfie the world that we do not prosecute quarrels, nor censure any upon the account of our publick differences. And though we cannot submitt the judicial cognition of Church affairs to any who are not a Church judicatorie, yet as our carriage in our judicatories is open to all, so we trust any who shall be pleased to observe them shall finde us reall in our professions. 6, If notwithstanding all this, any irregular and extra-judiciall power be granted to them, or any liberty permitted to Church judicatories be qualified with such a limitation, as a tolerating of them to continue their irregular courses without any controule, though for our parts we would little regard what they did, or what power

they had, were it in our own interest, or were ourselves only concerned in it, yet we may declare that we can never consent to any such thing, and that we and all the lovers of truth and peace cannot but resent and regrave the sad consequences of such a grant which will involve the Church in so lamentable confusions and distractions, and cannot but ruine all, which in the end may be also resented by these who possibly see not the evill of it from the present.

We leave the businesse on the Lord, and do recommend you in managing thereof to Him that He may give you understanding in all things, and are, your very loving Brethren,

Sic subr.

Edinburgh,

DAVID DICKSON.

3 January 1657.

MR ROBERT DOUGLAS.

Direct

Ffor Mr James Sharp.

Letter to Mr Sharp

REVEREND AND DEAR BROTHER,—Yesterday the four Protesters, to wit, Waristoun, Guthrie, Gillespie, and Greenhead, tooke journey toward London. They are filled with confidence to prevaile and do not conceale it, ffor Wariestoun affirmed to one of the undersubscribers that the great ones about the Protector had given them intelligence what wee are seeking, and gave them hope of obtaineing their desires. Although it may be said to them, ‘Let not him that girdeth on his harness boast himself as he that putteth it off,’ yet in human probability they may prevaile to the impeding the free exercise of presbyteriall government, because these our Brethren make no scruple to take the advantage of assistance from all that in these times are against presbyteriall government; and they are not a few. Howsoever things shall be ordered by divine providence as to the issue, we shall only desire these three things of you—

First, since you have presented our honest desire to these that are in power, which they themselves have judged to be both just and reasonable, you would be

cautious and warie (as we trust God will direct you to be) in pressing anything, because of the snares wherein we may be involved through that competition betwixt us and our Brethren. We desire to be kept free from anything prejudiciall to presbyteriall government whereof we darr not loose one pinn for the pleasure of them, or any whosoever. We desire also to be free of everie evill wherein we may be ensnared in obtaining our desire. Let us do nothing that may be to us anie after greif of heart.

Secondly, you will be carefull to inform our Brethren there, to whom they have written, and with whom undoubtedly they are to deale, that whatever they pretend for purging of the Kirk, their design is to subvert the settled government of this Kirk, which these particulars may clearly evidence: 1, Their singling out a godly party whom they judge to be, so condemning and secluding the generality of ministers and professors of the Gospell in Scotland, is in verie deed the destruction of a visible Kirk in its constitution. 2, Their labouring to have an extra-judiciall committee, whither of equall numbers or of others, who have no power to determine our differences, doth make quit void all the judicatories of this Kirk. 3, Their denying subordination in discipline and government to the lawfull judicatories of the Kirk established according to the Word of God and proceeding according to the rules of uncontraverted Assemblies, and taking upon them to act by themselves in the plantation of Kirks, contrarie to the minde of Presbyteries and congregations without giving an account to any, is without all question destructive to the government of the Kirk. 4, Their designe of ruineing Presbyteriall government appears by their traduecing the exercise of that government in the lawful judicatories of the Kirk as tyrannicall and a persecuteing of all opposers of it, whom they call godly, in which way they pourposely walk as the most probable means to take with these in power, for moving them to restraine or limite the free exercise of our Kirk government. It is not to be forgotten that some who were in no small esteeme among them for their forwardnesse in the way of declining and protesting,

have separated from the Kirk of Scotland, and openly avowed their denying the constitution and government thereof, notwithstanding of the oath of God that was upon them, and have professed that they were carried into that way of separation from our Kirk by the principles of their Brethren, the Protesters, who undoubtedly follow them if they follow their own principles. Whatever some of these men have been in our Brethren's account in former times, we have found them the prime workers of all the dissensions and confusions in the government of our Kirk. In the times wherein we live, men are not to be looked on according to what they were, but according to what they now are in reference to presbyteriall government.

Thirdly, we desire you may stay (untill you be advertised), and answer in your owne way what these grandees of the declineing faction shall suggest against us, which will be either concerning our principles, or our carriage, or matters of fact alledged by them. What are fitting to be answered in any of these, your instructions will afford advice and direction. And in all let it be your endeavour, as it hath been, to leave good impressions of us with these in power.

These things being done, we conceive you have done your work. We have exonered ourselves in pressing what is just, and if we obtaine not our desire, we shall by the Lord's grace brook a good conscience, which will be a continuall feast. Deare Brother, feare not these men that have made lies their refuge, and under falsehood have hid themselves. We have in Zion a foundation, a tried stone. He that beleeveth shall not make haste. God will lay judgement to the line, and righteousness to the plummet, and the haile shall sweep away the refuge of lies, and the waters shall overflow the hiding place. We leave the successe of our affaires upon our Lord who will never forgett Zion. She is graven upon the palmes of His Hands, and her walls are continually before Him. May He be pleased to direct and guyde you through the many difficulties wherewith you meet, that good may be brought out of all our confusions unto the glorie of His Great

Name. To His rich grace you are heartily recommended
by your loving brethren,

Edinburgh,

6 January 1657.

Direct

Ffor our Reverend and

Dear Brother,

M^r James Sharp, etc.

Sic subr.

DAVID DICKSON.

M^r ROBERT DOUGLAS.

M^r JAMES WOOD.

M^r JOHN SMYTH.

M^r HUGH MAKALL.

G. HUTCHESONE.

M^r THO: GARVEN.

Letter to the Lord Generall

RIGHT HONOURABLE,—We made bold not long since by this bearer our Reverend Brother, M^r Hamiltoun, to represent to your Honour the sad condition of this poor man, M^r George Ffin, and to entreat your assistance for preserving him from injustice and violence. Your Honour will see by an information to be given herewith, what pitifull sufferings he has been putt to since his last application to your Honour. The Presbytrie of Biggar, whereof he is a member, having passed a sentence upon him for some alledged miscarriage, he complained to the Synod of that Presbytrie's unjust proceedings against him; and after most exact tryell, the Synod found reason to take off that censure, and permitted him the free exercise of his ministrie in that charge, conceaving it great injustice to putt a minister from his ministrie after eight or nyne years' diligent service without any public, scandalous miscarriage made out or proven against him. The Presbytrie has indeed appealed from this sentence of the Synod to the next lawfull Generall Assemblie, yet the Synod being the competent superior judicature to judge betwixt the Presbytrie and him, having after serious consideration of the business, and of hearing both parties, authorized him to exercise still his ministrie. Conscience and reason, the order of this Church, common law and equity, pleads that till the Presbytrie's appellation be discussed by the judge to which they have appealed, he ought to enjoy the benefite of the sentence of the Synod, being a judicature

superior to the Presbytrie. Wee are not willing to interesse your Honour in questions of this nature. All we humbly entreat of your Honour is, first, in favours of the poor man, being for anything that ever we have heard or can learne, a man laborious and painfull in his ministrie to the satisfaction and edification of his people, and blamelesse, innocent, and peaceable in his life, that he may enjoy the common favour due to him in law and equity, that is, the benefite of the sentence of the Synod, ay, and untill something be made out against him. And, next, that your Honour would see for some effectuall course for repressing these tumultuous meetings of people from diverse congregations, that on the Lord's Day and week dayes are at his church of Symyntoun, which hes occasioned hitherto much trouble and violence to the poore man and his family, and may prove a mean of disturbance of the publict peace, and of much confusion and disorder. And how probable this may fall out your Honour will easily see by taking notice of a barbarous and insolent abuse at Biggar of another minister, and that for no other cause but the intimation of the Synod's sentence by their order in favours of Mr Ffin. We leave to your Honour the wisdome and justice to think upon some effectuall remedy of these insolences and miscarriages, and how these and the like may be prevented in tyme to come. If this poore man shall in prosecution of the order and appointment of the uncontraverted judicatories of this Kirk and in the fulfilling of his ministrie, meet with more and sadder evils than yet he hes done, it will be exceeding greevous to us. Yet as in this we shall have peace, that we have presented you with the true state of the business, so that your Honour will employ your power for doing him right and preserving him from further trouble is the hope and confident expectation of, my Lord, your Honour's humble servants in the Lord,

DAVID DICKSON.

Mr ROBERT DOUGLAS.

G. HUTCHESONE.

Edinburgh,

19 January 1657.

Direct

Ffor the Right Honourable Lord Generall Munck, etc.

Lord Generall's Order concerning M^r G. Phin

GENTLEMEN,—Having received the inclosed information concerning some injurie done to M^r George Ffin, minister at Symontoune, I desire you will take ane especiall care that he may not be disturbed in his ministrie, but to see the peace kept till such tyme as the bussines shall be heard by the Councill.—I remaine your verie loving friend and servant,

GEORGE MONCK.

Dalkeith, 23 January 1657.

Direct

Ffor M^r John Fermer, Governor of Douglas Castle, and for the Justice of Peace of the Shire of Lanark nixt adjacent.

Vera copia.

WILLIAM CLERKE.

Letter to M^r Sharp

REVEREND BROTHER,—Yours of the 6th and 10th of this instant we received. In answer whereunto, we are doing our best endeavour to furnish you with clear informations whereby these lying allegations may be repelled, having appointed a meeting on the 10th of February (before or at least against which tyme we expect a double of that paper you mention), and written for such Brethren from severall Presbytries who are most able to give us well grounded informations anent these particulars objected. In the meantyme, till these things be perfected, we thought fitt to communicat to you such thoughts upon the two points you mentioned as come at present to hand.

And, first, anent ministers deposed, who are reponed by Synods and Presbytries, it would be made knowne, 1, That some of these are so unquestionably able for parts, and blamelesse in their lives, that the most malevolent of our dissenting Brethren have nothing to object against them. 2, Some others of them being of knowne abilities, have their mouthes opened to preach as Expectants, who yet are not admitted to officiat in the ministrie, untill a further

tryell be made of their conversation. 3, Some deposed ministers do preach and exercise the ministeriall office without order or allowance from any judicature, being hereto encouraged by the example of M^r Guthrie, M^r Gillespie, and M^r Sympson, whose practice hath weakened the authority, and taught many to despise the censures, of this Church. 4, Some are repond, whom tho' we do not know, yet we hope their respective Synods and Presbytries who have opened their mouthes, can give a good account of their proceedings and render satisfactorie reasons for the favours conferred. 5, If any can informe of some one or other reponed, who may be found unworthie, we are most willing that such be putt to exact triall. But it seems strange that our Brethren are so forward to blaze abroad any such particular, which they never yet delated to any judicature that it might be tried upon the place, which (we must say) is not fair dealing on their part.

As for the other point alledged, our slacknesse in the matter of censures, that we have not sett about the purging of the Church of scandalous or insufficient ministers, yee would informe, 1, That the contrair will be found true to our certaine knowledge, for the Presbytries which stand for the Assemblie have deposed diverse, being found scandalous, and some at present are processed, the particular instances whereof you may expect after our meeting. 2, Tho' they cannot deny that there are amongst their partie both scandalous and insufficient, yet never have they censured any, nor will they suffer them to come under due triall by the judicatures, whilst such of their partie are taught to award the stroak of just censure so long as they please, by appeals to the first free Generall Assembly, *i.e.* till an Assemblie that they shall esteeme such, which they will never find, how condescending and moderate soever the members thereof shall be, except they know them to be fully of their judgment and way. 3, How much is it to be regrated that our Brethren confyne the matter of scandall to some personall enormities in other men's manners, and see not what scandall there is given to the whole Church by their schisme, and by the offensive con-

fusions, disorders, and tumults acted or fomented by their partie ! 4, It is easie for them to make a noise of scandall before strangers, and at such a distance, where things cannot be tryed. But though they have not spared in their bitter and calumnious invectives given in to Synods (which now it seems they are so impudent as to offer to strangers) to make a loud clamour of abounding scandalls and insufficiency amongst the ministrie in general, yet have they not to this day (so farr as we know) condescended upon, nor offered to make out anything in particular against any particular person, that they might be exactly tryed according to the knowne rules of our discipline, howbeit often and earnestly prest and exhorted to do it by Synods. So that we must stay as they are in *pessima fide* to accuse the judicatories of this Church, whose integrity they have not putt to the prooffe as to those particulars. So are we also confident at what tyme soever our Brethren or any else shall offer due information of any scandalous or insufficient ministers, the judicatories of this Church will most readily take notice of it as they are doing constantly as occasion offers. Last of all, we thinke it verie hard if deposed ministers and men, who themselves are under the censures of the Church, shall be heard to accuse and speak against the Church and the judicatories thereof, since they may justly be suspect of particular prejudice. Wee shall add no more but that we pray for counsell and courage to be given you of God, that you be not dismayed by the appearing of so many of the opposit partie. The Lord who is the living patron and defender of His Church, unto whom the interests and precious priviledges thereof which you plead for are dear, even He is on your side of it. We shall be ready to send you clearing in everiething we know, but you will not expect that we can search through all the land for everie lie and false alledgance they make. If matters be brought to be fully tryed upon the place by the respective judicatories, we doubt not all that mist they cast up will soon vanish. Only be of good comfort and do your endeavour in what is committed unto you, and be assured, tho' yee

should not have the desired successe, yet your labour is with the Lord, approven of Him and acceptable to us, who are your verie loving brethren in the Lord's work,

Originall which I have

seen—January 17.

DAVID DICKSON.

Mr ROBERT DOUGLAS.

GEORGE HUTCHESON.

Edinburgh, 20 January 1657. Mr JOHN SMYTH.

Direct

Ffor Mr James Sharp at Blackhouse in the Strand.

Letter to Mr Mantonn

REVEREND AND BELOVED BROTHER,—Upon hearing that there was a letter written by a Brother of the ministrie in Scotland unto our Reverend Brethren, Mr Calamy and Mr Ash, which contained some greivous reflexions, and, we may say, some aspersions upon us and the generality of the ministrie of this Kirk, we found it incumbent unto us in a letter to them to give a breif relation of the differences amongst us, to vindicate ourselves, and to prevent any mistake of our persons or practices, which might be occasioned by the informations of some who make it their work to invent and vent what may render these that are not of their way, odious, that themselves may be thought the only men that stand for the old principles and for piety (though we have reason to beleieve that you have seen that letter, and received some satisfaction thereby), knowing that our reverend brother, Mr Sharp, hath had kind and encouraging acceptance with you, and that upon our experience of the activity of these men in moveing everie stone for promoveing their interest, conceiving it to be more than probable that some of them according to their ordinarie way might adventure to misrepresent us or our matters unto you either by word or writt, we thoght it necessarie to writt a line unto you. We cannot but observe the footsteps of your former favours and kind respects to some of ourselves, in your respective cariage towards our Brother, which we do in a thankfull manner acknowledge. So we shall desire Him who is able to give

you a mercifull return in your bosome, not to forget your labour of love. The proofs you have already given of your goodwill toward the preservation of the discipline and government of this Kirk, putt us on with earnestnes to desire, and confidently to expect the continuance of your tender care for that effect. Your information and advice may be verie steadable and comfortable to our Brother, when he is at a defending posture against violent pursuers. He will be carefull, as he hath occasion, to communicate unto you what may serve for your clearing and our vindication; and we are confident you will be no lesse carefull to improve all for the best advantage of the Kingdome of Christ among us, which will suffer exceedingly if these men obtaine their unreasonable desires. They are verie active in their generation, and speake against their Brethren. But men of good judgment cannot but abhor such an unchristian way as labours to bring an odium upon a just cause by casting dirt upon the faces of these that stand for it. Though the faults charged upon persons were tried (as in this case they are not), yet to condemne the cause for those faults were not to judge righteous judgment. Their designe is to subvert the discipline and government of this Kirk in the exercise thereof by the established judicatories; and therefore it is not to be wondered that they do declaime against the judicatories as corrupt. We have not so learned Christ; nor needeth the cause of God for which we stand that kind of rhetorick, to uphold it, whereof some libellers make use. You are not now to be acquainted with the way which the opposers of presbyteriall government in these times have taken *calumniare* and *actere*. But judicious, sober-minded men have good reason to hold that course in suspicion, which is carried on by such perverse means. And as they decry others that are not of their partie, so they cry up themselves for the godly party, and make a monopoly of godlynes, accounting them ungodly who judge otherwise of them, than as the only godly party in the land. Their principles have carried some of their way to avowed separation from the Kirk of Scotland,

and to deny the constitution and government thereof; and the rest are in the high way toward it, for they have expressly refused subordination to Kirk judicatories on matters of discipline and government. We are most willing that the Kirk be purged of scandalous and insufficient office-bearers (if any be) by the respective judicatories in an orderly and judicall way, according to the rules of God's Word and received constitutions of this Kirk. They plead for a purging in an extrajudicall way, which subverts the established judicatories, and do exempt their partie from censures for their irregular and insolent actings by declineing of or protesting against the judicatories. They doe what they please, and will not submitt to judicall censures, whereby they have weakened the authority of the government, blunted the edge of discipline, and emboldened others that have been censured or may now be censured, to disobey and by their example to intrude themselves againe into the congregations, out of which they have been or may be casten. And (to passe by their obtruding of ministers upon congregations over the bellies of the body of the people, and of the Presbytrie in whose bounds the paroch is, unto which the plantation of Kirks vacant within their bounds doth belong according to the established order of this Kirk), after their example, and by their instigation, when any kirk happens to be vacand, some few persons in a congregation, who take unto themselves the name of the godly in the congregation, doe oppose the orderly proceedings of Presbyteries and Synods upon the lawfull call of the particular eldership and the people, makeing protestations and appealls, if things be not done according to their minde. And not only do they refuse to submitt unto the judgment of Presbyteries and Synods, though walking with tendernes toward them and proceeding with exactnes according to knowen rules in triall of the intransigent his qualifications for doctrine and life, but they also studie by all means to obstruct the plantations of Kirks, except with men according to their modell. If misreports of matters of that kind be spread there, we hope that they shall not be easily beleaved by

such as consider how they who make these reports stand affected to the established government of this Kirk. It should have its owne weight with rationall men, that the prime agents there against the settled judicatories of this Kirk are either lyeing actually under censures, or lyable to just censures for their enormous actings, and so cannot be free of prejudice, for it is ordinar with men to hate those whom they have wronged, and to endeavour their overthrow *quo jure quasi injuria*. Yet love to the peace of this poor Kirk, and desire of union with our Brethren, have had, and yet have, such prevailing power with us, that we offered for our part to condiscend and to use our outmost endeavours with these who are concerned, for taking off censures inflicted, and securing others from censures that might be inflicted for the matters of our publicke differences, upon most reasonable and easie termes, as our Brother is able to give, and we doubt not hath given, you information. It is no pleasure to us to insist upon so unpleasant and sadd a subject ; and were we alone concerned, we could sitt downe in silence. But for our Zion's sake we dare not hold our peace, the well-being whereof in its settled discipline and government, if not the very being of it in its constitution, is now in debate. Our desire is to have them continued, as they are established by the lawes of the land and the constitutions of the Kirk. Their endeavour is to cutt the verie sinewes of their power, yea, to raze them from the foundation, by getting up some extrajudiciall meeting. Under the conscience of the oath of God, we labour to preserve, as the doctrine and worship, so the discipline and government, of the Kirk of Scotland. They are destroying with their owne hands what they sometimes were forward with others to build up, and so making themselves transgressors. We shall not trouble you further but with renewing of a desire which by some of us was pressed before. Your lectures upon the Epistle of James are so satisfactorie, and takeing with us both for the matter and manner of handling, that we do earnestly beseech you at length to condescend unto the desire and expectation of

many judicious and godly ministers (we thinke in both nations, and we are sure in this) by publishing your Lectures upon the Epistle of Jude, or any other thing that you have beside you of that kind. We recommend you to the Lord's grace, who may preserve you long for the good of His people, and are your loving brethren and fellow labourers in the Gospell,

DAVID DICKSON.

Edinburgh,
22 January 1657.

Mr ROBERT DOUGLAS.

Mr JAMES HAMILTOUN.

Mr JOHN ROBERTSON.

Direct

GEORGE HUTCHESON.

Ffor the Right Reverend

Mr JOHN SMYTH.

our well-beloved Brother,

Mr MUNGO LAW.

Mr Thomas Mantonn, Minister of the Gospell, at London.

Letter from Mr R. Baillie to Mr Simeon Ash

(This letter is printed in Laing's *Baillie's Letters*, iii. 328-31.)

REVEREND AND DEAR BROTHER,—The kind expressions of tender affection, not only towards our Church, but myself also and diverse of my Brethren, which you, with your Brother, Mr Calamy, have been pleased now and then to writt to me, give me confidence to acquaint you and him at this time with the present condition of our Church, which now is sad enough, but is verie like quicklie to be much sadder, if the Lord be not pleased to avert the imminent danger.

Our Brethren who these diverse years have troubled us sore with their verie bitter, though most needlesse divisions, are now openly before the world come to exercise their threats upon us, and avowedly to do at last what long we feared from them. They have sent up to the Protector their three grand leaders to supplicat for a liberty to oppresse our poore Church contrare to all reason, conscience, and law. I gave you an account how farre we went upon our passionat desire of anie tolerable peace to give them all satisfaction in our Conference, November 1655, well near a whole month, wherein how farre sundrie of them declared themselves satisfied, themselves and

others also can well remember. Our first and fundamentall quarrell was that the Commission of the Church had answered a querec or two from the Parliament and Committee of Estates anent the lawfulness of their making use of such men in the army for the defence of the land against forraigne invaders, as were fullie reconceilled to Church and State for anie transgression sometimes they had fallen into. Their plea here was that we had answered these querecs so as we were perswaded in conscience was according to God's Word, the law of nature and nations, the constant and never contraverted practice of our land or of any land, and the constant practice of these who are in power as much as anie. This then was all their quarrell.

When they feared the Generall Assemblie would approve of these our answers, and would not be gotten to countenance their new, most dangerous, and unnaturall both tenets and practices, before that ever any question came to be debated, they gave in their protestation and declinature against that Assemblie and the two other we had since, as null, upon reasons which make null all Generall Assemblies with us for ever till they be masters of them and have them of their own framing. We were content for our passion to peace to burie all these high insolences, and never more to mention these contraversies, if so they would live peaceably with us in tyme to come. This in a publict writ they lately refused, except two points farder were granted to them which were not before in question, first, that all the Presbyteries and Synods in Scotland should for the time be deprived of the power of ordination and jurisdiction in all cases that any man should controvert, and that Standing Committees of an equall number of them and us, they naming their own and we ours, should be appointed for finall determination in all things contraverted. In manie of our Presbytries they have none of their mind, and in some Synods none; in most of the Presbytries and Synods where they have any, their number is verie few. The grant of this demand to us was impossible. We had no power to deprive all the Presbytries and Synods in Scotland of that power which Christ and the laws both

of our Church and State, did invest them with, nor thought we it reasonable to give our Brethren a negative voice in all ecclesiastick jurisdiction of Scotland. This was too rich a reward for the divisions they had raised and so long needleslie kepted up. And it is evident this concession had not at all been for peace, but for the continuing and increasing of our differences. Yet all this would not content them, but they pressed on us another concession, that since the plurality in Presbyteries were men corrupt, we should agree to them a freedome and exemption from all subordination to these judicatories in their present condition. This to us was a desperate demand, to make us content to cutt the sinews of all presbyteriall government in our land, till the Presbyteries were fully conformed to their mind. Nor could we inflict so sore a punishment on all the Kirk judicatories, before they were heard to clear themselves of so base an imputation. The Presbyteries and Synods to which subordination were denyed were none of the worst temper, but those chiefly of the verie best, Lothian, and Ffife, Edinburgh, and St Andrews, more nor Argill or Caithness. Beside that, we in our hearts were perswaded the challenge was exceeding unjust, for notwithstanding of much infirmity in many of our Presbyteries, yet we dare say the Presbyteries never were in Scotland generally so good and so free of seene faults as they are this day, nor are Church judicatures in any reformed Churches generallie so good as ours, our Brethren themselves being judges, nor to any indifferent beholder are these Presbyteries which our Brethren have gotten, made up fullie to their mind in anything better than others who are all opposite to them. Nor count we this challenge from our Brethren ingenious, since we see it evidentlie that so soone as they become masters of any Presbyterie or Synod, as by their over diligence they have made themselves of some, there is no more din in these places of purging. The insufficiencie or scandalls of their friends is no more heard of. When union could not be obtained but on these, and the like, absurd conditions, with sad hearts we committed our cause to God, but our

Brethren presentlie did make their addresse to the English Councill, petitioning to be erected in a Committee to visit, to purge, and plant all the Churches in the land. We did supplicat also to avert so terrible and so unexempld oppression, and by the justice of that Court got it for the time declined. Ever since in their owne wayes, both clandestine and open, they have been about the obtaining of that exceeding irregular power. We, knowing their resolution to deale with the Protector himself for it, when our Brother, Mr Sharp, on his friends' occasions, went up with my Lord President Broghill, some at Edinburgh gave him instructions to guard by right information against their attempts. Our Brethern, finding that Mr Sharp's representations had marred all they thought to have obtained by letters, and by their independent agents, they have openlie sent up the cheef of their partie to desire, by the great favour they have themselves everie one of them with the Protector and diverse about him, a Commission to do by force what we could not yield to them with our consent. Their great plea will be that the government of our corrupt Church should be putt in the hands of them who are the godlie partie, till the Church be well purged. We could have taken this plea the better at our Brethren's hand, if they had not scene and confessed with us the great iniquitie, hypocrisie, and falsehood of this same allegiance among you to this day by the whole circle of the sectaries. Albeit never one of all the sects among you did arise to this enormitie of desire, to have jurisdiction over their opposites. They were glad of a toleration for themselves ; but a domineering power over those who loved not to joine with them they never sought.

When the other yeer our Brethren had obtained an ordinance for putting all the magistracies of the shires and borroughs in the godly, that is, their partie's hands, the clamour was so great against this injustice, that quickly the Councill got that order recalled. When about the same time these who are now Commissionars had drawn a new large Covenant farre different from the Solemne League, to be sworne and subscribed by all whom they

should admitt to their godlie partie, it was so hatefull to the English Councill, and so greevous to many of their owne, that they were forced to lay it aside. But this their last designe which now they come to represent to the Protector (however we doubt not, in low, soft, ambiguous words, yet in effect importing the ruine of our Church government) will be found worse than anything which lately they have designed. This much I thought fitt to signifie to you and a few which you and M^r Calamy thinke meet to acquaint with it. M^r Sharp can fullie and will faithfully report the truth of everie particular. Sometimes you have written sad letters to us for our help by our prayers to God, and industrie with men, against the Malignant and Episcopall partie. Ye know we were never inlaiking to you to the uttermost of our power, our distresse now is great, we desire your compassion, your prayers to God for us, and your countenance to our cause, when you know it may profit us and not hurt yourself. We are not so much feared that the most unreasonable desires of our Brethren can be granted by anie of farre less understanding and justice than these who now have audience with the Protector, as that, by our Brethren's suggestions and importunity, both they and we, to the ruine of our dear-cost ecclesiastick liberties, be put under a new Erastian government which shall end in persecution of those who are truelie godlie among us. If by your countenance and counsell to M^r Sharp, or by your dealing with your friends about the Protector (if so be you have anie), you can help to keep this verie dangerous storme from us, you shall do an acceptable service to God and a great good deed to our groaning Church, and a seasonable favour to all of us here, who desire in this hard time to be faithfull to God and the trust He hath committed to our keeping. Expecting herein a comfortable answer, I rest, your loving brother in the Lord,

ROBERT BAILLIE.

January 12, 1657.

Direct

Ffor his Reverend and Dear Brother,

M^r Simeon Ash, Minister, at London.

Letter from M^r Baillie to M^r Rowse(This letter is printed in *Laing's Baillie's Letters*, iii. 332-4.)

RIGHT WORSHIPFULL,—The constancie of your kindness towards me, which from time to time you are pleased to signifie in this season when old friendship by the most is buried in oblivion, makes me still confident to use with you my wonted libertie. I hope what I wreat some fyve months agoe with mistresse Lammie, you did receive. The purpose of my present writing is to acquaint you with the imminent danger of the Church of Scotland (which I know you have sincerely loved and highly prised) to be pitifullie opprest and enslaved to a few of our Brethren who long have vexed us with their most causeless divisions. And when we have been willing, for peace cause, to have past by all their former (as we esteemed) high misdemeanours, yet flatlie they refused peace unlesse on new conditions which we never heard of nor expected to have heard of. 1, That they behoved to be freed from all subordination to our Presbyteries and Synods till they were new constitut and purged. 2, That for the interim the whole jurisdiction of the Church in everiething controverted, should be put in the hands of a Committee, consisting of an equall number of them to be named by themselves, and of us to be named by ourself, who should finallie determine in all questions anent purging and planting of churches, and everiething els that concerned the whole Church. The first is the totall subversion of our presbyteriall government, on a verie injurious and false pretence. That subordination must be denyed not to the worst or weakest of our Presbyteries and Synods, but the verie best from which they are most averse, as those of Lothian and Ffyfe. That our Brethren would have broken in pieces all our Church government by weaker and worse pretences than professed independent, we would never have expected but that they would have attempted, as they do in their second demand, the usurpation of all ecclesiastick jurisdiction to themselves, a farre smaller and more inconsiderable faction among us than

the independents are among you, we did never dreame, till themself did openly professe it. And when we did refuse it, they supplicat the Councill here to be invested in it, and now when the justice of that court has rejected their strange desire, they have assumed the boldness to present in effect, albeit in more low soft and ambiguous words, the same desires to the Protector himself. If any of your sects there would not only petition for a toleration to themselfe, but also the priviledge to have the full ecclesiastick jurisdiction over the land, I doubt not their desire would be rejected with scorne, though it were sweetened with a clause to have an equall number of others joined with them, whom yet they knew assuredly would never associate with them in any such work. Such an enormous phansie was never yet propounded by anie of your hereticks. Yet the present desire of our Brethren seems to be verie like (certainly to the bodie of this land, even to these who are esteemed justlie, as we conceive, the most godlie in it, it would be one of the heaviest Church greivances that ever yit befell them), nothing higher than that of prelats' tyrannie, the fountaine of all our late troubles. We are nowayes feared that the Protector's justice and wisdome can give ear to any such motion, if he be rightly informed; but we are feared indeed that Brethren by the great favour they have with sundrie there, and their great diligence and boldnesse to misinforme, may obtaine, as the result of their unhappie, rash, unadvised, and causles contentions with us, some one thing or other that may be verie dolorous to our nation and vexatious to the most of the truely godly in our land. There is a brother of ours there, M^r James Sharp, who can give full and true information of all things which concern our present condition. I wish you had some time with him. When you have heard him, I put no question but the love you have to God and His truth, and the respect you have to the peace of the Church of Scotland and the quiet of the nation (which for the time is so quiet as any could wish, if these men could but rest and goe about their owne station) you will be willing in

the time of our distresse and danger from our owne (whom least it became of all men to have put us to this vexation) to speak a word for us to the Protector, that at last we may be secured from the eneroachments of these restlesse men, who so long as they expect countenance and assistance from him will never cease to put their quiet neighbours to new troubles. I would be loathe to marre them in anie favour they could desire in other things, for the men are my good friends in all things personall and private; but the crushing of their forsaid designe I count it pietie and justice, their owne good, the Protector's honour, the good and peace of our land, whereto (by all the entries you have been pleased to grant to me in your affection) I humblie beseek you to contribute what you may, that with the greater chearfulnes I and manie more here may continue to pray for your remaining yet some time upon earth, for the perfecting of all you have in hand for the glorie of God and the good of His whole Church. So doe I truelie pray, Sir, who am your affectionat and most honouring friend,

R. BAILLIE.

January 16, 1657.

Direct

Ffor the Right Worshipfull his assured friend,
Mr Ffrancis Rous.

Messrs. Calame and Ash, their Letter

REVEREND AND MUCH ENDEARED BRETHREN,—We do thankfullie acknowledge your respects in communicating unto us your verie sad exercises, wherein we do sympathize with you sincerely. And if we were as able to serve you, as we professe ourselves desirous to be instrumentall in composeing your differencees, your breaches should suddenly and thoroughly be healed. Ourselves, with sundrie of our Brethren here (to whom we have made knowne your condition, with your transactions intending to a sound peace) are inclined to conceive that your actings are regular, and do discern that much of God's grace appeareth in the prudence, self-denyall, and meeknes of

your spirits, which we hartily wish may be continued in all your future managements. And this (dear Brethren) we beg of God, and request of you, that there may continue great caution lest the heat of opposition may not carry you upon any rocks to the reproach of the Gospell, or to the prejudice of the Presbyterian government, which the Lord hath endeared unto all our hearts. Although, for the present, we can say no more, because M^r Simpson hath wished us to suspend our judgment in reference to your differences, till some friends (who are by him expected) shall represent the case more fully unto us, yet we (blameing ourselves for our too long silence) could not, with satisfaction to our owne hearts, forbear any longer to testifie by those few lines our brotherly love unto you all, for whose faithfullnesse we blesse the Lord, incouragement and good success in the wayes of His truth and fear through Jesus Christ, in whom we are your respective friends and Brethren,

London,
January 19th, 1657.

Sic sub. SIMEON ASH.
EDM. CALAMY.

We humbly desire that this letter may be imparted to our Reverend Brethren, who with yourselves did subscribe the letter direct unto us.

Direct
To our Reverend and much honoured
good friends and Brethren,
M^r Dickson and M^r Douglas,
Preachers of the Gospell, at Edinburgh.

Copie of Simeon Ash's Letter to M^r S. Rutherford

WORTHIE SIR,—The sad differences amongst Presbyterian Brethren in Scotland which your letter to me suggesteth, are no lesse greivous to your Presbyterian friends here, than joyous to such who both on the right and left hand doe with detestation decrye the Presbyterian government. As our hearts do ache within us upon the thought

of the mischeivous consequences which are likely to ensue this unhappie breach, so should we improve ourselves to the outmost in what way we can to heale it. Sir, you have in publick shewed yourself a champion for the Presbyterian cause, yea, you will againe ere long tell the world you continue constant in that contest, and I am confident of the uprightness of your heart, designing the service of Christ in your place by the faithfull trading of the rich abilities with which He hath entrusted you. Therefore I will make bold to whisper this much to you, that it concerneth you more than any man in Scotland whom I know, to take good heed in appearing in any cause which may seemingly prejudice the Presbyterian interest. In New England some are apt to imagine that Mr Hooker's book had changed your judgement, because there was no news of your long delayed defence; and you may be confident many more eyes are upon you than any other man in Scotland. In this respect, therefore, if you judge me faithfull (as I hope through grace I am to Christ, His cause and yourselfe), give me leave, I pray you, to intreat with all earnestnesse to keep at such a distance from approving any extrajudiciall course in matters of Church government, that no colour of perswasion may be administred unto any to imagine that what you formally built up you do now destroy. And whereas in your letter you thus speak of your dissenting Brethren, that they are seekers of their owne things more than of the things of Christ, and that they persecute the godly, etc., I beseech you, good sir, be not offended that I presume to tell you that this your tartenesse in language did not a little trouble mee, and the rather because your dissenting Brethren expresse themselves with much love and sweetnes of spirit towards yourself and others with whom they seek to continue their former accord in the exercise of all parts of ecclesiastick discipline, according to the known approved constitutions of that Church. Thus, dear sir, the sincerity of my love hath drawn out my heart in much plainnes and faithfullnesse, which I desire may be imparted with remembrance of my respects to my

ancient reverend friend, M^r Robert Blair. I commend you to the grace of God.

SIMEON ASHE.

London, January 19, 1657.

Direct to
M^r Samuel Rutherford.

Letter from Colonel Whetham

DEAR AND REVEREND SIRS,—I must crave your pardon for my silence so long after the receipt of two letters from you, the contents of both being so full of just and honest reason and suitable to my own principles, that I cannot but be obliged to the utmost of my power to indeavour the vindication thereof, in which I have not been wanting as any occasion or opportunity has offered itselfe, or that I could lay hold of. And whatever clamorous applications are made against your proceedings and desires by any that are come up to that end, I am confident they shall have as little place with those in power as any of theirs have had that bussied themselves in that work, that were here before them. Your case caryes so much reason with it, that whenever it is clearly stated, I find none whatever able to gainesay it whatever I meete withall; and I can assure you I have done it to many but never left any unconvinced, neither can I doubt, whatever occasions of state may for the present cause delayes, but that a settlement of the whole being indeavoured, yours will necessarily fall in according to your desire, and not only yours, but ours also in this poore nation, I meane the Gospell and ministers and worship of Jesus Christ, that have so long layen under reproach. Those at the helme begin to perceive it, and indeed they have need to looke about them to close with and incourage those who stand upon settled principles and sure foundations. We have had turnings and shakings long enough. It's now time to settle; and we shall do so if the Lord take pleasure in us. But can we expect it untill we repent, and do our first works, and return to the oath and covenant of our God that is upon us, wherin we have not been right, which while some

pretend for in words, little but the contrary appears in their actings. I wish your opposers were not of that number. My Lord Broghill is a constant friend to you, shall I say, unto your cause, certainly to both, and will do more to vindicate than they can do to asperse or traduce. Wherein, and in all things else we wish the cause and honour of Christ, the good of His Church, the peace of those poore nations (wherein you and your cause is wrapt up) is concerned, he shall ever hold himself obliged to the utmost of his power to appear for, who is, dear Sirs, your most faithfull and reall servant,

Sic subr. NATH. WHETHAM.

London, 24 January 1656.

Direct

Ffor my Honoured and Reverend Freinds,

Mr Dickson, Mr Douglas, and Mr Wood,

Ministers of the Gospell, at Edinburgh.

Letter to Mr James Sharp

REVEREND AND DEAR BROTHER,—We have received yours of the 20th of this instant. We shall thinke of the letter you desire to be written to our friends there with the first conveniency; and in the meantime receive the representation which you have so much longed for, whereof you will make the best use you can, and after you have considered it, let us be advertised if it be thought fitting to be printed there, and we shall return you our thoughts anent the publishing of it. We have made use of Mr Wood's papers, and have brought it to a close. We recommend you to the Lord's grace, and remain your loveing brethren,

Mr ROBERT DOUGLAS.

DAVID DICKSON.

Mr MUNGO LAW.

Mr JOHN SMYTH.

G. HUTCHESON.

Mr JAMES HAMILTOUN.

Edinburgh,

27 January, 1657.

Direct

Ffor Mr James Sharp, etc.

A True Representation of the Rise, Progresse, and State
of the Present Division in the Church of Scotland

(This was printed as a pamphlet in 1657. There is a copy in the Church of Scotland Library: see No. 13 in volume of pamphlets, press-mark 23.2.20.)

Edinburgh, 27 *January* 1657.

1 §. As the division and rent that is now in our Church (once beautifull and strong in its unity and harmony as a city compact together) is matter of sad lamentation to us, so it is a sharp and bitter paine to our spirits to be making any mention thereof, or laying out the same before any, except in mourning and supplications before the Lord our God, acknowledging His righteous and holy judgement therein, confessing our provoking Him to give us up to dash one against another, by our not humble prizing of His mercie, but rather carnally glorieing and confiding in our former unity, and not improving it as we ought for His glory and the promoving of His interests; and deprecating His wrath therein being so heavy upon us. We could heartily wish that, our breach, had it been the Lord's good pleasure, being removed ere now, our differences had been buried in silence and perpetuall oblivion, rather than we should yet be necessitate to give an account thereof to the world. And we are so much the more averse from representing these our differences, divisions and the consequences which have followed thereupon, and the effects they have produced, that this cannot be done without some yet too just reflection upon Brethren and their practices, with some of whom we have walked to the House of God in company, and whom we do still love and respect, sincerely wishing from our hearts (as the Lord knoweth) that we might with them serve the Lord with one consent. Neverthesse, considering how much we and the truth through our sides have suffered through misrepresentations that are made of the state of our differences, and foul aspersions cast upon this Church and the servants and ministers of Jesus Christ, who adhere to the publike judicatories thereof, and contend for the preservation of the government of the Church in the due

authority and subordination of judicatories, as by the good hand of our God in His great mercy they have been settled amongst us, according to the Word of God, and perceiving that it is our Brethren's design in all this, either that they may finde wayes to prosecute some extraordinary and irregular course for remedieing of evils amongst us, or at least may keep matters in the confusion and disorder wherein they are, that men may do as seemeth good in their own eyes in matters ecclesiastick, without controulment from the authority of ecclesiastick judicatories, we are necessitate for the undeceiving of these who desire information, and for the exoneration and freeing of ourselves of all the consequences that may follow in this Church upon the continuance of our confusions through their misinformations, to give a true information, and lay open the state of our differences and present ease of our Church.

2 §. Ffor this end we shall hold forth, 1, The rise of our division, and what were the matters of our differences, that so the true state of the controversy betwixt us and our dissenting Brethren may be known. 2, Some of the irregular courses they have run into, and do practise, for strengthening of their party and faction. 3, What means we have used and what we have condescended unto, to gain them to union and conjunction with us in the judicatories of the Church, but without any success.

3 §. As for the first head, we shall not trouble men with ripping up the secret actings of that spirit of division (which at last appeared in its owne colours openly amongst us) in some of them, while as we were yet going along together and there was no breach between our Brethren and us. Albeit it is most certain that before, even long before, godly understanding men, who were upon publike judicatures and had occasion to observe more nearly the ways of some of our Brethren, discerned therein principles and designs tending to that which afterward broke forth. But we shall not rip up those things. The conception of the spirit of division was too long at being looked to, that it might have been crushed. It was now come to such

maturity, that it wanted but an opportunity to break forth, which for the punishment of the provocations of a sinfull generation was by the holy dispensation of divine providence quickly brought to passe, ffor shortly after the stroak upon this nation at Dunbar, cometh forth that Remonstrance entituled *The Remonstrance of the Gentlemen, Officers, and Ministers attending the Westernne Forces*, containing matters of great importance, and which was the first matter of our publike Church differences, and did produce the first open rapture and division in the judicatories concerning which these things would be observed and considered.

4 §. 1, It is from this evident to all impartiall observers, that the Church judicatories were far from beginning this division by any resolutions of theirs (which are now charged upon us as a defection, and whereof our Brethren do make so much use to carie on their designs); yea, they were not so much as any occasion of this rapture. But while they are about their duty, and, in the simplicity of their hearts, wrestling with the difficulties of the time on all hands, our Brethren with some others did contrive and bring to light this Remonstrance, desireing the concurrence of the Commissioners of the Assemblie in presenting it to the State. And albeit it did containe many points of highest concernment and contrary unto the constant resolutions of both Church and State (as is after to be cleared), yet they would not lay it aside for any intreaty, and joine with their Brethren and the rest of the nation, but did prosecute it with eagernesce and insolence, and upon that account did act in a separate way from the judicatories and fforces of the nation, till themselves were broken, and the Church and State cast upon all the difficulties which after followed, and particularly upon these resolutions which our Brethren do so much condemn.

5 §. 2, If we consider the matter of that Remonstrance, it will yet further appear, that they began this rapture in the Church, and that not upon the account of the publike resolutions, which were not then in being. Ffor in that Remonstrance they do condemne and propound that there

might be an overturning of all the resolutions of Church and State, taken by them for securing of religion in reference to the supream magistrate, and that, not only all along since the beginning of our late Reformation, but more especiallie in the years 1649 and 1650 after the State had been purged by the secluding of the Malignants, and the conclusions agreed upon were more strict than any formerly. Yea, and these who had a cheef hand in that Remonstrance were verie active in carrying on these publick conclusions and determinations. Ffrom which it is evident that they did begin a rent by departing from the received principles of this Church, yea, and from what themselves did formerly judge a sufficient security to the cause of God, and a great mercy to obtaine it. And accordingly some of them were but a little before cheefly active in closing treaties and transactions upon these principles who afterward endeavoured to overturne them. This may discover to the world what a spirit it is which leads our Brethren in their way, seeing they can not only not acquiesce in the determinations of the supream authority of a Church or State concerning matters of greatest concernment to both, nor content themselves with the exoneration of their own consciences, if they be not satisfied, but when themselves have agreed to these things and have been cheefe contrivers of them, then can be no security given but they will retract their judgments and overturn them again, which principle and way is inconsistent with the safety or standing of any humane society whatsoever. It is true in their Remonstrance, and since in their emissions to the world in print, they would lay the great stresse of this alteration in their judgement and way upon after discoveries of crooked wayes in managing of transactions in pursuance of these principles, and of some particulars in these transactions which were kept up from the judicatories, upon the knowledge whereof they did see the evill and sin of these conclusions of Church and State. But if it were to any purpose to trouble the world with stories of matters of fact, we could easily demonstrate what a gaining trade they have made of misrepresentations of this kinde, and

in particular, that it is more than evident to all who are acquainted with these affairs, that these resolutions were faithfullie managed, and full satisfaction obtained in all that was requyred previous to a conclusion, and that no particular (though in matters only of side issue, and that whereof they make so much noise, there was only a person who was bred in the Church of England, his taking the Communion once kneeling, after he had entered on a treaty) was kept up from those who now complain of it, nay, nor from the Assembly itselfe, as will appear from the report given in to the Assembly, and is now in publike record. But waving all these, it is clear from their paper emitted to the world, entituled *The Causes of the Lord's Wrath against Scotland*, that they do hold out the verie resolutions and determinations of Church and State in these matters, previous to any conclusion, as the cause of the Lord's controversy against the land; so that assert what they please to glosse the matter, they have made a defection from the principles of this Church, and prosecuted the same with a rupture and separation.

6 §. 3, Whatever may be said of supream judicatories and their power to recognise and re-examine their owne conclusions, yet it would be considered that the contrivers, presenters, and prosecutors of that Remonstrance were but private men, or did it in a private capacity. They were some inferiour officers, gentlemen and ministers, attending some forces, who took upon them to condemn acts and conclusions of supream judicatories, unanimously concluded, many of themselves (as hath been said) being present, and not contradicting, but positively consenting thereunto, and that, concerning matters of State and civill government of greatest importance, which any unbyassed and sober spirit will perceive to be a matter above their reach and station, especially to have condemned them by way of Remonstrance, publikly emitted to the world and presented to the State, without so much respect had to these judicatories as once to desire them first to re-examine and take into consideration these acts and conclusions, yea, refusing to apply themselves

to such a way as that, when advised and earnestly pressed thereunto, as more orderly, by some to whom they did communicate their designe. And albeit the Commissioners of the Generall Assemblie were then sitting (to whom the management of publick affairs of the Church was committed), and who ought to have been consulted with in all weighty matters, especially when our Brethren did call in question the conclusions of the preeceeding Assemblie, yet it pleased them, not to own them in this matter, but of themselves did by positive determination contrary to the Acts of the Assemblie prevent their advice. It is true, indeed, after they had concluded the matter, they who were entrusted by the rest did present the Remonstrance to the Commissioners of the Generall Assembly, desiring their concurrence in presenting it to the State. But withall, it is to be remembered, that when it was enquired if they had any power to change anything in it, they answered that though some expressions might be changed, yet they had no power, and were not to alter anything of the matter of it, which was in effect to obtrude their determinations upon the Church judicatorie. As these things did evidence their small respect to the government of this Church, and their stretchling themselves beyond their line, by determining in their private capacity, not only antecedently, but contrary to the conclusions of the supreme judicatories, so diverse of these who went along with them in it at first, perceiving shortly after how divisive and destructive to all order that course was, did quickly withdraw from them, repenting that ever they had engaged with them.

7 §. 4, Whatever charity might have been allowed them in presenting their thoughts upon these transactions, or of other faults, for a testimony and exoneration of their own consciences, and desiring to have them redressed in an orderly way by the competent judicatories, yet this can nowayes be justified, that not only they second their testimony with a separation, but in the close of the Remonstrance they hold forth a declaration and avowing of engagements upon their hearts (these are the very

words) before God, if He shall lengthen their dayes, and take pleasure in them, to make them any way instrumentall in His worke, and for His people's good and safety, that they shall to the utmost of their power endeavour to get these things remedied according to their places and callings, which was a reall and plain engaging and banding of themselves together to prosecute the matters of their Remonstrance by armes and force, it being certain that the most part of the Remonstrans then were in a military place and calling. And this, severall passages in their carriage, before they were broken, did clearly enough evidence to be their purpose and intention. And the judgement of this Church of such divisive bandings of parties hath been so well known, especially since the Generall Assemblie 1642, that our Brethren cannot free themselves of walking contrary to the established order of this Church in that their practice.

8 §. 5, Albeit our Brethren by this Remonstrance and the prosecution thereof, had made a breach upon our sweet harmony and unity, and layed the foundation of all our following breaches, yet the Commission of the Generall Assemblie was most tender and carefull to prevent any breach upon it, as may appear by their tender carriage, before they proceed to give any sense upon the Remonstrance, and from the sense itselfe which they were afterward necessitated to give.

9 §. As to their carriage before, this, in generall, may speak their tendernes, that notwithstanding their just dissatisfaction and offence at these proceedings, and notwithstanding the present hard condition of the times did call for their present appearing against these dividing courses, yet they suspended from October 24 (which day the Remonstrance was given in) to declare their sense of it till November 28; more particularly when they were frequently convened November 14 to cognosce upon it at Sterlin, and had spent three dayes in conference and debates about it. They offered our Brethren that, provided they would not require nor presse an answer to the Remonstrance from the State, but be content to leave it

with and before them as a testimony for themselves of their mind and judgment of affairs, the Commission would forbear to give any sense upon it, and should endeavour and interpose with the State that they would use the like forbearances. And, accordingly, one was sent to acquaint the Prime Ministers of State with this overture; and they did so relish it, as they laid that business aside till they should meet with the Commission. This overture and condescension agreed unto by our Brethren, as also that in the meantime they should forbear meddling with that debate in publike preaching, was grossly violate by our Brethren. For not only did these ministers for the Remonstrance, who preached on the next Sabbath, publicly fall upon that debate before the people, but before the Commissioners could reach Perth (to which they had adjourned their meeting on the Tuesday thereafter, that they might interpose with the State) they hasted thither, and gave in a supplication to the State, denying any acknowledgement of, or respect to, the supreme magistrate, though their present professing their adhereance to the Remonstrance and pressing a satisfactory answer to it. Wherein albeit they did neglect that peaceable overture, and walk contrary to their own condescensions, yet the State for sixe or seven dayes did follow all peaceable wayes of preventing a rupture, offering that the Remonstrance might be as a testimony for these who presented it, of their minde and judgment, and that if they would joine with the rest of the nation, they should declare nothing against it. But, nothing prevailing with them, the State was necessitate to declare against it, and yet in so fair terms, as it could hardly have been expected a State should answer such a paper in such a way.

10 §. As for the Commission's sense upon it, three days after being spent in conference with them, and finding matters otherwise irremediable, and being called thereto by civill authority, they judged themselves bound in conscience to give warning of that snare, and to clear themselves from being accessorie to such a divisive course. It is true, the presenters of the Remonstrance did (after

the State had passed their sense upon it) propound to the Commission that they would forbear till they acquainted these that sent them. But such a desire was then justlie thought strange, ffor, 1, They had even now pressed the State, contrary to all our desires, for an answer ; and men could not see how that was consistent with their desiring now of a delay. 2, The matter had been long enough debated, and there had none of the prime contrivers thereof been absent all the while, that they needed to be sent for. 3, They did not at all desire a delay, that they might receive satisfaction in any of the particulars remonstrated, that so they might alter it in whole or in part, but only that they might have a hearing to justifie their resolutions therein to be according to the covenant. 4, The Commission being required by the State to give their judgment in it, after so many endeavours for an accommodation, which had proven ineffectuall, they could not be wanting in their duty in such a case. The sense which they did give upon it will witnesse how tenderly they walked in the bussinesse, wherein they do acknowledge what truths are held out in the Remonstrance, though they were not clear that they held them out in an orderly way. They do not at all reflect upon persons, nor offer to censure them, nor declare them censureable, but do only declare their judgment of things contained in the paper. And though they finde in it some encroachments upon the determinations of the Generall Assemblie, their meddling with matters of State and civill government, and their engaging themselves to endeavour remedies in these things they remonstrate against, with all which (and because it is apt to breed division) they were dissatisfied, yet out of their tender respects to persons they content themselves with declaring so far, and do forbear all further examination of it, excepting such satisfaction against their next meeting from the Remonstrators themselves as might prevent all further debate.

11 §. This declaration, breathing so much meeknesse and moderation, as it had its wished effects in due time in the most part of the gentlemen engaged in that course,

so the ministers who were Remonstratours and were then present, and other Brethren with them, were so enraged at it, that in a disorderly way they left the Commission (some of them not without threatening expressions), and never returned afterward to any meeting thereof.

12 §. The next matter of our Church differences and divisions were the so much talked of publike resolutions of the Commission of the Generall Assemblie, returned in answer to two querees propounded to them by the King and Parliament. The one concerned the admitting of persons to the forces then being levied for the defence of the land of the date December 14, 1650, wherein after a repetition of the queree propounded to them, and a narrative of the State's obligation to use all lawfull and necessary means for the defence of the land, of the broken and scattered condition of the forces of the Kingdome, and the subducing of a great part thereof, disabling the rest from their own defence, unlesse there be a more generall calling forth of the people. The conclusion and resolution is this: In this ease of so great and evident necessity we cannot be against the raising of all sensible persons in the land, and permitting them to fight against this enemy, for defence of the Kingdome, excepting such as are excommunicate, forfaulted, notoriously profane or flagitious, and such as have been from the beginning and continue still, or are at this time, obstinat and professed enemies and opposers of the Covenant and cause of God and for the capacity of acting, that the Estates of Parliament ought to have, as we hope they will have, speciall care that in this so generall concurrence of all the people of the Kingdome, none be putt in such trust or power as maybe prejudiciall to the cause of God, and such officers as are of knowne integrity and affection to the cause, and particularlie such as have suffered in our former armies, may be taken speciall notice of.

13 §. The other resolution was concerning the admitting of persons to places of trust in the State, and the rescinding of the Act of Classes, of the date May 24, 1651, wherein, after the repetition of severall desires of the King, Parliament and Committee of Estates renewed with great

earnestnesse (for the space of two moneths) to the Commission for a clear and positive answer to the quereee propounded concerning that matter, it is declared as followeth : That least any aspersion should be cast upon us of encroaching upon or intruding ourselves unto the office of the civill power and authority, we doe declare that we do not assume to ourselves, and that it is not competent to us but only to the King and Parliament to make or repeall Acts of Parliament, and, therefore, that as the Commission of the Kirk had not hand in making of the Act of Classes, so neither do we take upon us to determine the keeping up or rescinding or repealing of the same. Yet being required by his Majestie and Estates of Parliament to give our judgment and advice in point of conscience whether or not, considering the grounds contained in the narrative of the Act of Classes, viz. the Solemn League and Covenant, the solemne acknowledgment of sinnes and engagement to duties, declaration emitted by the Kirk and the Engagement, and promise made by the Committee of Estates to the Kingdome of England, it be sinfull and unlawfull to admitt to be members of the Committee of Estates persons formerly debarred from the publike trust or to rescind and repeall the Acts of Classes, we declare that as for any engagement or promise made unto the Kingdome of England concerning not admitting unto places of power and trust persons accessory unto the sinfull engagements against that Kingdome, we know nothing of the nature and grounds thereof, and therefor leave it to the Estates of Parliament themselves to consider how it doth oblige or not oblige in the present condition of affaires in these Kingdomes. But, for the Solemn League and Covenant, the Solemn Acknowledgment and Engagement, and former declarations, we doe find that they do not particularly determine any definit measure of time of excluding persons from publick trust for bypast offences, but only binds and obliges condignely to punish offenders as the degree of the offence shall require or deserve, or the supream judicatory of the Kingdome or others having power from them for that effect, shall judge convenient, to purge all

judicatories and places of power and trust, and to endeavour that they may consist of, and be filled with such men as are of knowne good affection to the cause of God and of a blameles and Christian conversation (which is morall dutie commanded in the Word of God and of perpetuall obligation), so that nothing upon the account of these grounds doth hinder, but that persons formerly debarred from places of power and trust for their offences may be admitted to be members of the Committee of Estates, and the censure inflicted upon them by the Acts of Classes may be taken off and rescinded without sin by the parlt^a whose power it is to lengthen or shorten the time of such censures, according as they shall find just and necessary, providing they be men who have satisfied the Kirk for their former offences, have renewed or taken the Covenant, and be qualified for such places with the qualifications required in the Word of God and expressed in the Solemne Acknowledgment and Engagement, viz. That they be men known good affection to the cause of God and of a blameles and Christian conversation, which ought always carefully to be observed and made conscience of, though there were no such Act of Classes, to the effect that no persons get such power and trust in their hands as may be prejudiciall to the cause of God.

14 §. These are the resolutions which have been and are so much noised abroad in the world, because of which our dissenting Brethren have made such stirres in preaching, and in written and printed papers, determining them to be an horride defection from our covenants and forsaking of the cause of God, and laying the weight of their first dividing from the rest of the Church and countrey upon these (though unjustly, as may appear from what hath been cleared in the matter of the Remonstrance), yea, and branding honest men who concurred in them, or consented to them, with verie odious imputations and determining these resolutions to be the grand causes of the Lord's wrath against the land. Upon the account whereof they have separate from, or rent the judicatories of the Church (the condition of the times contributing

thereunto), and by their protestations and declinatours against the Generall Assemblies, the Church is brought into the confusions and distractions under which we do so sadly suffer. And albeit somewhat have been already spoken for vindicating us in this particular, in the observations upon the differences in the Church of Scotland from page 10 to 17, and it is not our work in this Representation to publish a treatise in defence of the resolutions, yet we shall add a few things for clearing of the matter.

15 §. As to the former resolution of December 14, 1650, we need not insist to declare, that this debate is extrinsecall to our doctrine, worship, and Church government, and therefore it cannot be justified that such a rent should be made becaus of our differences about it; that there was no question made by our Brethren of the lawfullnesse of the service wherein these forces were to be employed, which might have added weight to the grounds of their dissent; that the countrey was reallie in that low condition supposed in the resolution (occasioned partly by our Brethren's separation upon the account of the Remonstrance) which could not but put State and Church into great straits, and warrant them, in their stations, to emprove all ordinary means not prohibited by the Word of God, and the use whereof is not in itself sinfull, for necessarie selfe-preservation; and that whatever latitude may be taken in such a case, yet the Commission in their resolution did use such caution, that if they be judged thereby (as they ought to be), there can be no defection fastened upon them, even by them who condemne a generall concurrence of fellow subjects in cases of extremity. Ffor in effect they approve of none to be admitted, but such as are professed friends to the cause of God, and who enter in covenant for that effect. But, passing all these, we desire it may be remembered that our Brethren did not content themselves simplie to condemn this resolution, or to assert that it was unlawfull to take in or employ as they are qualified in the resolution, but running to another extremity, did assert that it was sinfull and unlawfull for any honest and godly subjects to goe forth and joine in

an army constitute according to the resolution, albeit called and required thereunto by the civill magistrate in the case of necessary defence of the nation and everie particular interest in it, and in severall papers did positively maintain this assertion, and by many arguments laboured to bear it in upon people. The grosse absurdity of both which assertions may be clearly seen in these few particulars.

16 §. Ffirst, if we look upon all nations and states throughout the world, it may justly seeme a strange paradoxe and of dangerous consequence, if once admitted amongst them, that it is not lawfull for the Civill Magistrate in the case of forraigne invasion, to raise an army as is qualified in the resolution, for the defence of the nation, and, much more, that it is not lawfull to godlie subjects to joine with an army so constituted. Yea, albeit that resolution was more limited and strait upon grounds and reasons of expediency, yet we doubt not but that in the case of the invasion of a nation by forraigne force, and when the whole nation is in common hazard, all subjects and compatriots as well as those that are orthodoxe Christians as others, though they were idolaters, Jewes, Turks, heathens, may be called forth, and that a conjunction of them in armes for the defence of the Commonwealth and their own mutuall preservation is lawfull, yea, and a necessary duty, to which the magistrate ought to call them, and wherein they ought to concur, especially when their conjunction altogether is in rationall prudence a mean necessary in ordinary providence for their preservation from the violence of the invading powers.

17 §. As this is the universall and constant principle and practice of all States and Kingdomes, wherein there are such differences amongst subjects (as most part of nations have some one or other of these mixtures where there is most unity in religion, yet most of the subjects are carnall and profane), and without which it were no great difficulty for an invader to make a prey of any such Kingdomes, as suppose the Turke should invade Germany, so we finde Christians and godly men in all ages and times have never

questioned the truth of it, but by their practice have gone along with it. To passe the example of the primitive Church, wherein Christians were so far from making question of this, that a great part of the forces of the Roman Empire consisted of Christians, as Tertullian doth affirme, as also of orthodox Christians in other nations who, being joined in civill society with others corrupt in religion, do make no scruple of joining in armes with them, and who may justly resent the scandall cast upon Protestant Churches by the starting of such a debate, we shall only mention the example of our own worthy Reformers, who, in the case of forraigne invasion, made no scruple to joine in armes with those who had been in bloody opposition to the people of God, so soon as they were willing to come off from the contrarie partie, and professe repentance for their former course. Witnesse their coming with the Duke of Chattellaraull and his followers who had been in opposition to the congregation, as they were then called. Yea, after some disaster received by the Ffrench at Leith after that conjunction, they did not look upon the receiving of him as a cause of that sad stroak, as some would make the world believe from Mr Knoxe's sermon at Sterlin, ffor in the heads of that sermon printed in the *Historie of the Church of Scotland*, page 217, edit. Edinburgh, 1644, in 4°, there is no mention of any such thing, but only of their carnall confidence that possibly they had not sincerely repented their former opposition, and that they who were late come in were made to feel in their own hearts how bitter a cup they had made others to drinke before them, nor doth he (as our Brethren's tenet now leads them) presse them to purge out such as were lately admitted, but doth only presse repentance upon all of them.

18 §. But we need not insist on this to instruct what was the judgment of our first Reformers in this matter, seeing before that time they invited even the verie papists, remaining yet papists, to conjunction in armes with them against the Queen Regent and the Ffrench partie, as will appear from their declaration recorded in the *Historie of the Church of Scotland*, page 179, etc., wherein, as there

are many things remarkable to our present purpose, so their exhortatory close speaketh thus, pages 182, 183. If you tender true religion (*i.e.* if ye be Protestant) ye know her Majestie beareth herselfe plain enemy thereunto. If religion be not perswaded unto you (*i.e.* if ye be papists), yet cast not away the care ye have over your commonwealth, which ye see manifestly and violently ruined before your eyes. If this will not move you, remember your dear wives, children and posterity, your aunient heritages. Then, Brethren, let us join our forces, and both with witt and manhood resist their beginnings. Let no man withdraw himselfe, and if any will be so unhappie and mischeevous (as we suppose none to be) let us altogether repute, hold and use him (as he is indeed) for an enemy to us, and to himselfe, and to his common weall. All which doth make it clear that they made no scruple of joining with papists, being their countrymen and compatriots, and that even when the quarrell with the enemy was complexe, both for the liberty of the countrey and the interest of true religion, they were content and desirous their countreyemen, though disaffected to religion, should joine with them upon the account of their common civill interest, as they also afterward expresse in another declaration, recorded in the same historie, page 197 at the beginning.

19 §. Unto this judgment of our worthy ancestors speaking so clearly to the point in contraversy, we shall only add the testimony of a late learned writter, who in his treatise entituled *Lex Rex Quest. 37*, page 379, speaking of their opinion who thinke if the King command papists and prelates to rise against the Parliament of England, that we are obliged in conscience and by our oath and covenant to help our native prince against them, he subjoins, to which opinion with hands and feet I should accord, 'if our King's cause were just and lawfull.' And a little after in the same page he adds, 'I see no reason but the civill law of a Kingdome doth oblige any citizen to helpe an innocent man against a murthering robber, and that he may be judicially accused as a murtherer who faileth in his duty,' etc. And afterward, page 382, after

this supposition and assertion, 'If an army of Turks and Pagans would come upon Britain, one part of Britain would help another,' which includes more than the conjunction of fellow subjects of one Kingdome, he adds, 'as Jehoshaphat, King of Judah, did right in helping Ahab and Israell, so the Lord had approved of the war,' which may give a dash to the many objections mustered up from the Lord's reproofe to Jehoshaphat, against the Commission's resolutions.

20 §. Secondly, as the judgment and practice of Christians and Churches, in former and latter ages, at home and abroad, doth justifie this resolution, so the law of nature doth strongly plead for us in this matter. Ffor as in the naturall body nature hath put an instinct in all the members to put forth themselves for the preservation of the whole and one of another, so the practicall principles of nature lay a morall obligation upon the members of a politicall body to joine mutually together for the defence of the whole, and their own necessary selfe preservation, when they are involved in a common hazard. So that in such a case, if the magistrate do not put them to it, he betrayeth his trust, and the subjects if they concur not, become guilty of the ruine of the whole. And as the Apostle, 1 Cor. 12, makes use of this beame of the light of nature to enforce that there ought to be no schisme in the misticall body of Christ or His Church, but all the members ought to have a care of the whole body, and one of another, so by parity of reason it may be as strongly applied to the politicall body and incorporation of a commonwealth, in things necessary to the preservation of its being and safety, and to repell unjust violence. Nor will it suffice to say, that as the law of nature, when it obligeth us to defend ourselves for self preservation, doth not allow us to make use of everie mean for that end, but only of lawfull means, which cannot be said of conjunction and association in armes with men corrupt in religion, or ungodly in their conversation, ffor we reason not from the law of nature obliging to selfe preservation and defence, *simpliciter*, but from the law of nature its obligation lying

upon members of one and the same body (such as is the incorporation of one city, kingdome, or commonwealth) in relation to the preservation of the whole, and of one another, when under the hazard of unjust violence and invasion. And so the argument speaks not only for the lawfulness of the end, or the defence and preservation of the politicall body, but for the lawfulness also of the means or the conscience of all the members for that effect, which doth strongly inferr our conclusion.

21 §. Thirdly, as this is the verdict of the law of nature, so we cannot see anything in the Scriptures to this. And no wonder, seeing God's laws (such as the law of nature also is) cannot be contradictory one to another; yea, we will finde in the Word clear warrant for this assertion. But not intending a treatise, we shall only touch a few general points which may clear it.

22 §. And to begin with the Old Testament, albeit it need not be thought strange that we bring no testimonies so directlie speaking of conjunction and association in armes betwixt the professours of the true religion and others of a differing religion, as members of the same civill incorporation, considering that the Church of God being restricted to that one people of Israel, their Church and commonwealth were materially the same by divine institution, so that none could be members of the commonwealth but such as were also members of the Church and so professours of the true religion, as now under the Gospell it may be otherwise, yet even then we will finde this truth, that albeit oftentimes many of that Church did make defection to wicked and (to speak so) malignant courses, yet were they never refused or rejected from Church or camp fellowship, when they professedly returned from their evill courses, although there was no reall evidence of true repentance and godlinesse in them. How often in the time of Moses did they turn aside, and albeit he knew well enough the generality of them continued gracelesse, notwithstanding their professions of returning, Deut. 29. 2, 3, 4, yet were they never excluded from joining with the rest in their militarie undertakings!

So also in the days of David, when ten tribes had for seven years shed much blood, in cleaving to the house of Saul, and opposing His Kingdome (which was an opposing of the Kingdome of the Messiah in the type and a fighting against the cause of God), and afterwards, when they joined in the naturall rebellion with Absalom, yet upon relinquishing their former course they were readmitted into fellowship of councill and armes with the rest who had adhered unto the cause of God. Many such instances might be produced from the history of the Judges, and of succeeding kings of Judah, which might abundantly clear this truth, which we passe as studieing brevity.

23 §. The New Testament doth speak more clearly to this point, but we shall content ourselves to touch a few things only : 1, It is evident these souldiers who came to John Baptist were professours, either proselytes or (as some think) native Jewes under the Roman pay. And as orthodoxe divines do from John's preaching to them, and not enjoining them to quit military employment, strongly argue against Anabaptists for the lawfulness of warre to Christians, so it will as strongly conclude the lawfulness of Christians' conjunction in armes with one of another religion, yea, even heathens, such as many of the Roman souldiers were. The like also may be concluded from the instance of Cornelius and Peter preaching to him. 2, It is an undoubted truth, that now under the Gospell it is lawfull for godly, sound, and orthodoxe Christians to be of and abide in one civill incorporation with wicked idolaters, heathen, and pagans. We say not that it is lawfull for honest Christians to associate and embody themselves voluntarily, and of new, with such people, being before free and distinct from them. But that it is lawfull to abide in such an incorporation we beleve no orthodoxe Christian (though Anabaptists and fifth monarchy men may) will deny, as being agreeable to the tenour of the Epistles of the Apostles concerning marriage fellowship to be kept betwixt a Christian and an infidell, if they be not forced from it by violence, though it were not lawfull for a Christian being free to enter

into that fellowship, and Christians' continuance in servitude to heathens, unless they be made free. Now if it be lawfull to abide in one civill incorporation with such, it is also not only lawfull for them, but their duty which they may not neglect when need requireth, to joine and concurre with their co-members in such actings as are for their kinde lawfull, which essentially belong to the relation, and are necessarie for the preservation of the incorporation, and the just common interests thereof, such as conjunction in armes to repeall invasion is. 3, As Christ never came to a people with His Gospell to make that unlawfull which was lawfull before to them by the light of nature (as this conjunction in armes in the case already mentioned must be acknowledged to be before a people embrace the Gospell), so we doubt not but understanding Christians will finde that the Scriptures speaking to Christians living under heathenish powers, and commanding them to performe unto them all things lawfull and competent to the relations wherein they stood to them, doth positively warrant them to joine with their fellow citizens in this case. And particularly that passage, Rom. 13. 5, 6, 7, 8, doth clearly evince this where the apostle commandeth Christians to be subject to heathenish magistrates, not only for wrath but conscience sake, and to pay tribute to them (whereby they maintain their wars), and that in a voluntary and active way, upon the account that they are the ministers of God, attending upon that verie thing even to protect the subjects and commonwealth.

24 §. Ffourthlie, the other branch of our Brethren's assertion concerning godly men's not joining with an army so constitute, is so grosse that all who condemne withdrawing from exercises of divine worship, agreeable in the matter to divine institution, as a sinfull separation, will abhorre it, seeing by their deniall of lawfulness of concurrence in a lawfull necessary duty, because of the personall sin of fellow actors in it, they homologate with the tenent and practice of separatisme. Yea, we beleve that they who are most strict in the matter of ecclesiastick communion will deny that such strictnesse is requisite

in military conjunction, especially in the case of invasion. And we are the more confirmed in this judgment, that some of the great sticklers in our debates have separate from the communion of this Church, and that (as they professe) upon the verie principles whereby they were led with the rest of our dissenting Brethren. Yea, one of our Brethren now at his rest in the Lord, being desired by them to handle the contraversy against the separatists, after he had studied it accurately for a time, did professe ingenuously before his removall (as is known to some of us, and others who were ear witnesses) that he found it impossible to maintain the truth against separatists retaining their principles upon which they had gone against the Commission of the Church.

25 §. We are not ignorant that not only against this assertion as we have propounded it, but even against the resolution which was more strict, a great noise is made of objections from places of Scripture gathered together in heaps. And as to us this resolution is charged upon us as a defection from our former principles, and a violation of our Covenant and Engagements, as to this last challenge we shall add nothing to what is said in the observations upon our differences, pages 34, 35, 36. Neither shall we enter into a particular examination of these scriptures. Only this in the generall, most part of them are out of the Old Testament, spoken to the people of the Jewes then by divine institution, as in their religion, so in their State, separated from all other people of the world, and relate to entering into voluntarie and elective confederacies and associations with other kingdomes or nations, yea, and some of them for active assistance unto the nations with whom the confederacy was made, and so do not at all touch our case of joint acting in armes for just and necessary defence of subjects of one nation habitually and antecedently incorporate and now in common hazard. And for these alleaged from the New Testament, they are such as are alleaged by separatists for separation from churches for the sin of fellow members (as that, 2 Cor. 6. 14 and 15), which yet we beleewe judicious

separatists themselves will judge to be impertently applied to a separation in the case in hand. As for that passage, Deut. 23. 9, which was continually in their mouths in this debate, it would be considered that it was spoken in the first instance to people so separate from all nations, as hath been said. And in so far as it may contain a morall rule for all ages, it doth not hold out any rule for regulating the constitution of any army, but only the conversation and carriage of a people in an army going forth against an enemy, that they should then especially keep themselves from sin and provoking God, when they are carrying their life in their hand, as the Scripture speaketh. This appeareth from verses 10, 11, where purity is required not only from grosser, open, and formally voluntary sin, but also from secret sins and the involuntary offers of naturall corruption, which we beleeve fall not under the triall of men, nor can be followed or looked unto in constituting of armies.

26 §. We shall add no more concerning this resolution, but this one word: However our Brethren charge this upon us as a defection from our former principles, yet we professe we never knew any such principle owned in our Church so eneroaching upon the power of civill magistrats and so dangerous to all Christian nations. And we do for ourselves disowne and diselame it before the world, humbly obtesting all civill powers and Churches abroad that they entertain no such thoughts that ever such a principle or doctrine was or is owned by this Church, whatever hath been the judgment or practice of some particuler men as to this matter.

As for the other publike resolution of May 24, 1651, concerning the rescinding of the Act of Classes, there is so little said against the matter of it, that we need not insist on it. It is true not only those who were against the former resolution, but others also in the state who were most active in the former, did with great eagernesse impede the asking or giving a resolution in this case. But they have their owne hearts to examine whether it was (with dissatisfaction as to the sinfulness of the

matter) but selfe interest that drave them so to do. It is true, also, much is spoken to the complexe bussinesse and prosecution of this resolution. But the Church cannot therefore be charged with defection upon the account of the resolution itselfe, which was only their deed, ffor it contains nothing else but a clearing of the Commission that they clame no right to have hand in, or meddling with the making or rescinding of Acts of Parliament, an acknowledgment of the power of the civill magistrate to shorten or lengthen civill punishments, constitute and inflict by himselfe, as he finds just and necessary for the good of the commonwealth, and a resolution in point of conscience (being thereunto required) that the State might without sin take off the censures inflicted by themselves in the Act of Classes, with positive and expresse provision, that they should observe the most strict conditions and qualifications in the persons, that had been at any time formerly required. All which are so justifiable, that we beleve no ingenuous and judicious Christian will carp at them; and therefore our Brethren do but unjustly challenge us on this account. They say a designe was carried on to advance Malignants and to crush these who had formerly been opposite to them. And yet no such design can be fastened on the Commission's resolution; yea, before this resolution was given, they interposed for obtaining security from all that were admitted in that very particular, and did not fail to bear witnesse against the some who were admitted by the State, against whom there was just cause of exception. They cry out that many of those who were admitted upon this and the former resolution, were but superficial in professing repentance for their former miscariages, and it was suddenly taken off their hands. We need not vindicate how unjustly this imputation is cast upon many of them who were most opposed by them whose carriage hath proven more steadfast in the cause of God, and lesse seekers of their own interests, than those who opposed them. We do only assert that this cannot be laid to the charge of the Commission, who as they walked justifiably in holding

out the rule, so they did receive verie few themselves, but remitted them to the judicatories, charging them to be accurate in the matter, and to proceed according to the order appointed by the Generall Assemblies. Yea, it was some of our Brethren themselves who did receive some of the most eminent of those upon profession of their repentance.

28 §. We proceed now to speak somewhat to the third matter of our publike differences, which relates to the two last Assemblies of the Church, the one at S^t Andrews and Dundee in the year 1651, and the other at Edinburgh the year thereafter, against the first of which our Brethren (apprehending that it was likely the Commission's resolutions might be approven there) were pleased to protest, and declined it as unlawfull and null as to all authority, as they did also against that which ensued, and ever since will have them to be accounted no Generall Assemblies of this Church. The evill of this course being so notour, and sensible in the sad consequences thereof, both at home among ourselves, and abroad among all who hear of our differences, and to love that truth and peace which once was amongst us, we shall say but a few things to it. And

29 §. Ffirst, it may be evident to all who are unbyassed that our Brethren, by protesting once and againe against the supream Church judicatorie (and being ready, and waiting on to have done it the third time, had the Assemblie 1653 been permitted to sit and constitute themselves), have begun and continued a sad rent in this Church, destructive to the verie being thereof, if mercy prevent it not. Albeit before this rent, one of the leading men of that party had declared in a particular case that protesting against the Aet of a Generall Assembly or of any delegates having their power, deserved summar excommunication by the constitutions of this Church, yet they have not spared, when it was for their interest, and the times seemed to afford them immunity, to protest against the verie being of two Assemblies. Whereas had they contented themselves to have protested against the approving of the resolutions, or any other Acts of these Assemblies (which

might have been a sufficient salvo and exoneration to them), we are confident it had been borne with, as many such irregular practices and protestations of theirs are laid aside without censure by inferiour judicatories. But by their overturning the verie being and authority of these Assemblies they have taught ill affected men too many criticismes upon all the Assemblies which have been in this Church. They have learned others by their example to contemne the authority of Church judicatories, as we finde by dailie experience. They have laid down a course how themselves (and others, if they please to follow their example) may do what they list, and then decline the judge who should cognosce upon their carriage. They sleight and oppose the resolutions of inferiour Church judicatories, protesting and appealing to a lawfull Generall Assemblie, and yet by their principles they are sure the Church of Scotland shall have none lawfull (had they never so many) till they be pleased to approve thereof. And they have cast themselves upon a snare sinfull and scandalous in a Nationall Church, that by their declinatures they are engaged not only against what they thinke sinfull in the Acts of these Assemblies, but that they cannot joine in most lawfull things (were it humiliations upon uncontraverted causes) which flow from that authority. These are some few of the sad consequences necessarily attending these protestations, which may abundantly evidence the evill and sin of such a course.

30 §. Secondly, the evill of this course may appear further if we compare this fact with the reasons upon which they ground it, nowayes like these reasons upon which the Generall Assembly at Glasgow condemned some former corrupt Assemblies, but for the most part so false and irrelevant that it is to us strange they should owne them before the world and publish them in print. They give out there was no accesse to many to come to that Assemblie by reason of the motions of armies at that time. And yet (beside that this is verie extrinsecall to the freedome and lawfullnesse of the Assembly) Commissioners came from places most infested. They say the

Assembly was infrequent; and yet the Rolls of that Assemblie will evidence it was as frequent as many of the Assemblies which they do not question. They alllege that the Assembly was not free, but overawed; and yet some of themselves (who went along with that Assemblie till the end thereof, though afterward they joined in the protestation) may bear witnesse, if they will speak truth, that never did Assembly more freely and fully debate and reason upon matters than this Assemblie did upon these resolutions. They urge in their protestation against the second Assemblie that many Presbytries refused to send Commissioners to it; and yet they were but some, and that where they had power, for which the Assembly could not be blamed, and some others who thought fit not to send Commissioners, yet by their letter to the Assemblie did expressly declare they were not against the authority of the former Assembly, and consequently not against that. To this may be added that our Brethren themselves did really evidence their own sense of the weaknesse of their grounds, in that though all their reasons were clear before the Assembly at S^t Andrews and Dundee was constitute, yet they forbore at first to give in their declinature, but with some salvos did sit and joine in the Assembly, choosing a Moderatour and acting both in the Assembly and Committees for severall dayes, never appearing with their protestation till the day wherein a considerable part of the forces were defeat, and the Assemblie were mett late at night to adjourne to Dundee, and then verie unseasonably they gave it in. Yea, it further appears from this, that the most part of these who now joine in that protestation, refused then to goe along in it, nor did they after joine with them till the face of affaires was more fully altered.

31 §. But that we do them no wrong, and may obviate what may seeme plausible in their way to these who are unacquainted with our affairs, we shall speak a little to two particulars whereof they make especiall use to justifie their protestations. The first is, that many members were admitted in these Assemblies who were guilty of a

course of defection, in the matter of the resolutions formerly mentioned, who therefore were incapable to be members. This is the strong argument whereby they study to engage the simple and well affected to their party, and upon which they spared not in their emissions to professe the weight of their cause lieth, and do condemne those Assemblies because they approved of these resolutions. And therefore we answer : 1, Albeit the consideration of the persons whom they accuse as cheefe leaders in this defection might make them (were they ingenuous) blush to declare them uncapable of such a trust, who were many years both under prelates and since have been eminently honoured of God to be owners of truth and purity, and promoters of piety, when others were not, yet we trust what hath been hinted in defence of these resolutions, and against their remonstrance, will break this snare and clear where the defection lieth. And so these resolutions being found to have been their duty, the whole superstructure must fall. 2, These resolutions (whatever they were) were not as yet nor could be judicially found to be a defection, till the Assemblies were constitute and cognosed thereupon ; and therefore they could not inflict such a censure on so many formerly faithfull ministers and elders, till their cause was tried, and themselves heard. Only when their proceedings came to be tried, they were to be removed (as our Brethren know is the constant custome) and judged by the Assembly. And if they were found culpable, the Assembly was free to inflict what censure they deserved. And our Brethren know that in the Assembly 1648 such an exception was not accounted relevant in this Church, to hinder members of a preceeding Commission from sitting as members in the succeeding Assembly and to voice (except in the matter of their owne proceedings to be tried and judged), untill an account were taken of their proceedings. And if they should have been removed before, we see not but our Brethren who continued in opposition to them should also have been removed with them, that the Assembly might have judged of both, though the Assembly did freely allow such

as were opposite to the resolutions to sit and reason and voice according to their judgment in these matters, when the Commission was removed. 3, Whatever may be said of these resolutions and the Assemblie's approbation thereof, yet it was but one act; and we beleeve one act (suppose sinfull) doth not make void and null the authority of a judicatorie to all effects, otherwise all judicatories might easily be overturned. 4, We desire it may be considered how deep our Brethren's principle will draw, ffor if these men, being a course of defection (as is supposed), do render the judicatories unlawfull, where they are admitted, and oblige men not to joine with them in that judicatorie, then, by parity of reason, they must also overturn all inferiour Church judicatories whereof they are members, nor must they joine in these with them. Nay, we see not now their principles will allow them to joine with them in any lawfull act of religion and worship more than in an Assemblie.

32 §. The next thing they alleage is that Presbytries were prelimited in their due election of Commissioners to the Assembly 1651 by a letter of the Commission sent to them, appointing such Brethren as after conference remain unsatisfied with and continue to oppose the publike resolutions to be cited to the Generall Assemblie. Answer I. This sayeth nothing against the Assembly 1652, where no such prelimitations were, and yet they protested against it. They alleage prelimitations in it also by the Acts of the former Assemblie. But their consciences cannot but tell them that any such as (to say nothing to the matter of them relating to the publike resolutions) were so far from being put in execution, that they were whollie laid aside, and the Commission of the Assemblie at St Andrews and Dundee did at a meeting and conference with them earnestly presse and intreat they would joine with them in the ensueing Assemblie, which they refused to do upon the account of the resolutions (even though the subject matter thereof, and so all occasion of debate about them, was then extinet), and because that Assemblie had a dependance upon the former they had protested

against, and had appointed time and place thereof, albeit legally they could no other way have accesse to keep a new Assemblie but by vertue of the former indiction and appointment. II. We thinke it strange our Brethren should be against all prelimitations in the matter of constituting Assemblies, and that taking such course as the Commission then took about emergent scandalls, or errorrs, should render an Assemblie null and unlawfull. We may say it, In our conferences with our Brethren we have found them averse from joining in an Assemblie with us without both prelimitations and pre-engagements. And it is not unknowne in this Church, that such courses as that of the Commission have been followed without any reflexion upon the freedom of Assemblies. And to passe other instances which may be, and are elsewhere produced, wee shall pitch on that one parallell of the Commission 1648, wherein some of our Brethren had the cheef hand, in which, by expresse act, the Commission earnestly recommends to Presbytries to take speciall notice and triall of everie Brother's carriage in the publike bussinesse, that if any be found that do not declare themselves against the present malignant course, nor joine with their Brethren in the common resolutions against it, nor give publike information to the people, that they be referred to the next Generall Assemblie, and if any of them have already declared for it, that they be presently censured. Here we will not only finde a parallell to that done by the Commission 1651, but somewhat that went beyond them. Here such as were silent or joined not with their Brethren, nor informed the people, were referred to the Generall Assemblie. The Commission '51 did not meddle at all with such, nay nor with their continued dissatisfaction after conference, if they do not actively oppose, and by their preaching and other actings obstruct the execution of the resolutions for defence of the nation. Here such as declared themselves were to be presently censured by Presbytries; but the Commission 1651 did only appoint opposers after conference to be cited to the Generall Assemblie that there they might be accountable

for their carriage, as the Commission was for their proceedings, and that they might prosecute (if they had anything to say) these libels they had emitted against the judicatories and their proceedings. From which it is clear that the Commission used more tendernesse in that case than was usuall and approven formerly in this Church. If our Brethren (as they do) recurre to this, that the proceedings of the Commission 1648 were right upon the matter, as these in the '51 were not so, the cases are different. We hope what hath been said of these resolutions will refute that imputation, and make clear there is a party still. And however we beleve that matters of formality in constituting judicatories must be still the same in all matters, and whatever may be concluded from the matter as to one act of the judicatorie, yet it cannot be simple null, if it proceed in form according to former approven practices. III. It would be impartially considered what effect that letter had, as to prelimate the Assembly in the election of its members, wherein we hope the nullity of the alleageance will sufficiently appear. Ffor, 1, It is knowen that letter was sent but to a verie few Presbytries, and these (most of them) after their elections were past. 2, It needed not be sent to many for that end they mention (viz. to prelimate them in their elections), for many Presbytries had none at all of their judgment among them, and others verie few; and however they have emitted to the world an account of some in most of Presbytries of their judgment, yet when they reckon again they will finde they have wronged some whom they name as theirs, and yet to this day they continue opposite to their course, and that they could not make such an account then of many, as they may do now, since diverse taking advantage of the times and seeking their own interests have fallen to them. 3, Whatever they say of the Commission's deed or their active prelimitations thereby, yet if they shall assert there was any passive prelimitation, either of Presbytries in electing or the Assemblies admitting of such to be members (in which case only it can plead the nullity of the Assemblie), we may boldly declare that they speak

against clear truth, for notwithstanding that letter the most part of the most active opposers were chosen by Presbyteries and admitted, and acted in that Assemblie till it pleased themselves to protest and leave it. Yea, further to assert this passive prelimitation of Presbyteries will strike not only against the Commission, but against all the Presbyteries of the land, as unfaithfull and betrayers of their trust, which were too heavie a charge against a Nationall Church. The truth is the carriage of the Commission, Presbyteries, and Generall Assemblies doth make it cleare there was no prelimitation intended nor practised in electing members to, nor admitting them to sitt in, the Generall Assemblie, ffor they not only might but were actually chosen and admitted in it. Only (as is said) the Commission thought it fit they should be cited thither, and that however they might act and vote in other things, yet the Commission and they should be tried together in that debate, which we beleewe any unbyassed Christian will judge to have been their duty, and verie far from prelimiting of the Assembly, and an irrelevant ground on which they should have made a rent, and such an inlet of confusion upon this Church, as hath followed thereupon.

33 §. Having so briefly as might consist with perspecuity laid open the true state of the contraversy betwixt our Brethren and us, and the progresse of our publike difference, till it come to a stated rupture by their protestations, we shall now (in pursuance of the second head propounded) give a briefe account of some consequences and practices that have followed upon this rupture. It may be and is matter of our sad lamentation before the Lord, and we might poure out abundance of complaints in the bosomes of simpathising Christians, who ever were sensible of the mercy of a Church enjoying the sweet of harmony, that by these divisions sad prejudices have redounded to the Kingdome of Christ amongst us, that the work of the Gospell is exceedingly retarded thereby, atheisme and irreligion increased, true religion and godlinesse exposed to hatred and reproach because of the carriage and way

of many who professe it, the authority of Church judicatories enervate and render contemptible, their meetings which sometimes were a reviving, now turned into occasions of griefe to the lovers and friends of Church government and order, yea, and the work of purging (which our Brethren do so much call for) exceedingly retarded and obstructed. But leaving these before the Lord who alone can apply an effectual remedy thereunto, we hold it our duty to give an account of some of our Brethren's irregular practices following upon their renting from the judicatories, whereby (as by the effects) it may appear what their spirit and way in these differences is, and it may be discerned what accession they have to these sad distempers formerly mentioned.

34 §. Their first course taken for carrying on their designe and strengthening their faction, and which they set on foot shortly after their first protestation, was the conveneing of great numbers of ministers, elders, professors, and expectants from all parts of the land, in extrajudiciall meetings, wherein, after confession of sins and prayer performed indifferently by ministers, elders, or others in these great meetings, they did and do proceed to determination of particulars tending to the strengthening of their cause, and engaging of others in it, and do give equall power to all present in voicing and determining in these matters of most publike concernment. The Lord knoweth that we do from our hearts approve of the duties of private mutuall edification, as they are enjoyned in the Word, and are recommended and bounded by the Acts of our Generall Assemblies, with the consent and to the good liking then of all our Brethren. And we do account it not sutable to the nature of these duties to make a noise of professing our own practice thereof accordingly. But we do not see that our Brethren's way in these is at all agreeable to the rule nor consistent with the peace of any constitute Nationall Church. And particularly we cannot but resent it in their way, 1, That they should make use of these religious exercises as a subservient mean for carrying on these courses which we hope, by what is said,

will appear to be most unlawfull in themselves. 2, That by giving out themselves in these meetings as the generality of the godly throughout the land, or delegates in a sort from them, they do cast an imputation upon the bulk of the Nationall Church beside, who are against their way and do not joine with them in these courses, as not only wrong in that matter but as not godly, some verie few excepted. Which as we know to be a most false imputation (not many of these, of any rank, who owned the cause from the beginning, going along with them), so it is an evidence of a strange divisive and separating spirit in our Brethren. 3, That they should take upon them in these meetings to determine upon matters of greatest importance already determined both in the State and Church, as the first tyme these conclusions agreed upon by both, mentioned in the matter of the Remonstrance, were expressly condemned, was in their first meeting of this sort, ffor not only doth it reflect upon the established judicatories as not worthy to be trusted in these things, but neither have they any power of themselves to determine in these things, nor have the generality of the godly, whom they pretend to represent, power to authorise them for that effect, unlesse they will joine issue with fifth-monarchy men in their opinions concerning the power of saints. 4, That by their determinations in those meetings, so contrary to truth and the received principles of this Church, and the results and practices that flow from them, and all under the name of the generality of the godly, they expose piety to hatred and contempt amongst us. While as men see pretenders thereunto so absurd and irregular in their opinions and practices, by this means (we may say it with regrate) impiety and irreligion have spread more within these few years than of a long time formerly.

35 §. Their next course for carrying on their work was the erecting of the pretended Commission from the General Assembly 1650, as still in force, because of the pretended nullity of the Assemblies that have succeeded thereunto. The setting up of this Commission was one of the results of their first extrajudiciall meeting in October or November

1651. At which time what they had agreed upon in their meeting concerning the causes of wrath, and the overturning of the settled Resolutions of State and Church, was published as the deed of that Commission, hereby supposing to add authority thereunto, but in effect branding this Church as infamous, while as they who pretend to have supream power therein for present, and give out themselves to be the only men who have adhered to the principles of the Church of Scotland, do make null and void all the publike transactions concluded in the view of the world, do maintain such inconsistent principles, and do retract and condemn these things which were held out as the constant tend of the Church's Conclusions and Declarations.

36 §. As this was the first Act of that pretended Commission, so they have since from time to time adjourned and voted the continuance of that power be still in force to this day. And albeit (for anything we know) they have no authentick copie of their Commission, whereby they might know their power, what is intrusted to them, and the number which makes a quorum, yea, albeit not only that Commission was legally expyred at the day of the meeting of the next Assemblie which convened in the year 1651, but albeit the generality of the members thereof did give up their Commission and proceedings to be tried in that Assembly, and were accordingly approven, and a new Commission given (as was also done at the Assembly thereafter 1652), yet our Brethren, being but a small number of the members of that Commission, upon pretence of the nullity of these Assemblies, did judge upon the validity of their own protestations against them, and set themselves down as a Commission, which (for anything we know) may be a perpetuall court, seeing they alleage the continuation of their power till the next free and lawfull Generall Assemblie, and none such can be had so long as they please to protest against it, even albeit the Presbyteries and generality of the Nationall Church should owne it, as they did at both these contraverted Assemblies. We know not what can be if this be not a

usurpation upon the liberties of the Church, when some of these who are entrusted with a delegate power to the next Assemblie do make themselves perpetuall prelates, and usurpe a negative voice over the Presbytries and their Commissioners met in a Generall Assembly, yea, and over the *major pars* of these intrusted with them, and so do cast all who ought to call them to an account, that they may still continue in power.

37 §. A third course taken by our Brethren to make and keep a party and faction is their way of celebrating Communions and observing of Publike Fasts. Albeit the Generall Assembly in the year 1645 did establish an order for uniformity and preventing of confusion in the celebration of that Sacrament, wherewith this whole Church then rested well satisfied, yet, since our divisions, our dissenting Brethren have taken up a new and irregular way. To omitt their way of admitting persons who come from other congregations, they do not now usually celebrate that ordinance, but they have a great many (sixe or seven, and sometime double or more) of ministers gathered to it whose congregations (most part) are left destitute of preaching that day, great confluences from all the countrey and many congregations about are gathered at them and on everie day of their meeting (which are Saturday, the Lord's Day, and Monday), many of these ministers do preach successively one after another, so that three or four, and sometime more, do preach at their preparation, and as many on the Monday following, and on the Lord's Day sometime three or four do preach before they goe to action, besides these who preach to the multitudes of people who cannot be contained in the Church. These practices, as they are a clear violation of the order unanimously established in this Church, and do occasion great animosities and alienations in simple people against these ministers who will not imitate these irregular courses, so uninterested observers do perceive a clear designe in all this to set up themselves as the only pious and zealous people worthy to be trusted and followed in our publike differences. Which if it be not an injury to

that sacred ordinance and improving thereof (which is a bond of unity and communion), to be a wedge to drive on and fix a rent, let the judicious and sober judge.

38 §. The like may be said of their Publike Fasts appointed by themselves, and for causes which they emit without the concurrence of the judicatories. We shall not insist to clear how untrue many of their causes are upon the matter (as determining in our publike differences contrary to the judgment of this Church), nor to assert their want of authority to appoint fasts and determine the causes thereof except upon causes proper to the congregation where the fast is observed, especially upon such causes as are otherwise determined by the Church judicatories. But two things we cannot passe on this matter : 1, A studied schisme and rent is carried on by these fasts, as will appear, partly, if we consider their timing of them so as may make the division betwixt them and their Brethren conspicuous in these things. Since our divisions the judicatories of the Church have been tender of a visible rupture in the matter of publike fasting ; and, therefore, when our Brethren could not concur with them in that duty, they forbore to observe week days for that effect, as was their custome formerly, and they would gladly yet be at it (as they do continue it where the division is not), that so all the people might be about religious worship on dayes appointed for fasting, though our Brethren would not joine in it. But our Brethren not regarding this, do observe them on week dayes, wherein the scandalous rupture appears, in that they are about that exercise while their neighbouring congregations (yea and sometime many in that congregation dissatisfied with their way) are at work. And partly if we consider their way in these fasts, even such as they observe in their Communiones, for they convene many ministers and multitudes of people from all corners about to that work. 2, We are not a little confirmed in our apprehension of a design in this that our Brethren do refuse to joine in humiliations and ffasts with us, and that upon most uncontraverted causes, such as our calami-

ties, divisions, and contempt of Gospell, etc. Sometime they refuse to joine in them because they flowed from the authority of the Assemblies which they cannot own, which we do look upon as a visible and woefull fruit of the needlesse rent they have made by overturning these judicatories as null in their authority to all effects; and sometime, when the fast is appointed by unquestioned authority of Synods and Presbytries, they have refused to joine because they alleaged the causes were defective, that is, according to our Brethren, because the Resolutions of the Church and the owning of the authority of these Assemblies were not brought in also as causes of fasting. We hope the judicious and godly will perceive this not only to be unjust upon the matter, and an injurious reflecting upon their Brethren who require no such thing of them in reference to their reall declineings, but also to be a verie divisible principle, that men will not joine in causes of fasting, because everie cause (suppose true) is not held out in them, and that they will not concur in lawfull duties, on lawfull causes, because these with whom they joine will not come up to their judgment in all other things.

39 §. In the fourth place, we shall give some account of our Brethren's other irregular practices in the matter of Church government and discipline, whereby they have exceedingly disturbed the peace of this Church and promoted their own designs. We need not relate what alterations are in meetings of Church judicatories occasioned by their contradicting and opposing whatever is subservient to their designe or concluded contrary to their minde, and what bitter and unjust reflexions and reproaches the judicatories meet with from them to their faces both in word and writeing, which they pack up. We shall only point at some particulars of their actings. And

40 §. 1, Since this division in our Church, some Brethren within the bounds of a Presbytrie have erected themselves as the only Presbytrie of that bounds, and for no intreaty of the Synod to which that Presbytrie is subordinate will they be perswaded to unite with the rest of their Brethren within that bounds for carrying on the common affairs

of the Presbytrie, but goe on to this day to plant congregations as they please. And by their continuall protestations against the Synod and counteractings to their determinations, they do frustrate all the Synod's endeavours for rectifying any abuse.

41 §. 2, It is a thing most ordinary with our Brethren to obtrude ministers upon congregations sometime contrary to the minde of the whole congregation, sometime of the greater part thereof, upon the call only of some verie few and inconsiderable part of the congregation, whom they are pleased to call the godly in the congregation. Yea, sometime ministers of other Presbyteries do usurp power to put in a minister, not only against the hearts of the congregation, but of the whole Presbytrie to which that congregation is subordinate. And they do not only thrust in ministers thus in a forcible and violent way, but they do it where the congregation is already orderly planted with an able and godly inrant.

42 §. 3, These irregularities not sufficing to strengthen their faction, some of them went a further length and did procure an order concerning the maintenance of intrants to the ministrie to be allowed by Commissioners appointed for that effect. Wherein, Scotland being divided into five provinces, no inrant was to have any stipend allowed him without a certificate from (at least) four of the ministers and others named for the respective provinces where the minister was to be planted. And however some few were named as certifiers who differ from them in judgment, yet they conveyed the matter so as in no one province there was a competent number of them to give testimony to anie inrant, though they had been free to act in a course so destructive to the order and government of this Church ; yea, in one of the provinces (and that the largest) there were so many named as were a competent number of these who had separate from the communion of this Church, from whom little favour could be expected to men cordially adhering to the presbyteriall government ; and the procurers of that order testified small affection thereunto by endeavouring to put that trust in the hands of such.

43 §. 4, Our Brethren do strike at the verie being of presbyteriall government and make everie person or inferiour judicatorie his or their owne supream judge, while they deny the subjection and subordination of persons to judicatories, and of inferior judicatories to superior, in the matters of government and discipline. But when a man is questioned for an uncontraverted fault, if he please to appeale to a free Generall Assemblie (which we know not if ever we may have in their judgment, had we never so many) he looks upon that not only as a legall defence giving him liberty to bring his bussines to an hearing again before the judge competent, but as a sufficient warrant to go on in his course. Likewise, if any conclusion of an inferiour judicatory be brought by appeal before a superiour court, and if their proceedings be judged irregular and unjust, they do presently appeal, and upon that, go on to counteract against any such determinations. This practice in matters of discipline and government was never heard of in this Church, nor we beleieve in any Church where the officers and constitution thereof were acknowledged to be agreeable to the Word of God. But whatever the superiour judicatory might do, as they would be answerable, notwithstanding an appeal, yet the appealer and inferiour did always submitt and sist their proceedings till their cause was heard and tried. Otherwise it were in vain to think of a remedy by a superiour judicatory, especially when our Brethren have learned a way to cast all supream Assemblies, till they be sure they be of their minde.

44 §. 5, Whatever our Brethren speak of purging, yet they shew themselves verie irregular and partiall in that worke. Albeit we have been most tender of them, and since the Assemblie at St Andrews and Dundee have never censured any upon the account of the publik differences, yet when information is given in against any of them as scandalous and insufficient, they decline all triall of the matter, and sometime, for that end, decline the judicatories as corrupt. But their proceeding against any of our judgment where they have power is most

disorderly. For they cast out men at their pleasure (and none but such as otherwise differ from them in publike matters), having nothing reall or relevant against them, some of them being men who, when they joined with them for a time, were good enough in their account. And when those who are censured have recourse to superiour judicatories for redresse, our Brethren by their protestations and appeals did keep their cause from being heard, and by their counteractings (yea, sometime tumultuary wayes of some of their followers abusing these whom they unjustly censured, and affronting ministers who execute the Synod's acts in their favour) do leave poor men under oppression without any possibility of a remedie in an orderly way.

45 §. Fifthly (to add no more), our Brethren have studied to carie on their designe by reproaches and calumnies spread of these who are opposite unto them. They have published to the world in print that this Nationall Church is guilty of a defection from the Covenant of God, many eminent servants of Jesus Christ are branded as authorized ringleaders in that defection, godly men are said to be blasted, deserted, and backsliden, the generality of the ministry are cried out upon as corrupt, we are traduced as opposite to the purging out of scandalous and insufficient ministers; yea, the judicatories are accounted unworthy of that trust, in that they must have extrajudiciall committees appointed for that effect. To all which (omitting what hath been already spoken, to the matter of our contraversies, and what may be after hinted at) we only say: 1, As some of these aspersions are (we hope) wiped off by our clearing of the falsehood of the grounds upon which they are laid to our charge, so the rest of them not being the cause of their first rent, cannot warrant them to continue in it. And of all of them we may say that we hope no judicious Christian will like their cause the better, that they are so oft put to make use of personall reflexions and calumnies to defend it. 2, Whatever be the clamours they raise of the generall corruption of the ministry, yet they have been oft put to it and solemnly obtested to

condescend upon particular persons and their scandals, that they might be tried, yet for most part they have always declined it; which is a clear evidence of a designe in it to keep themselves in the generall. 3, We have oft-times told our Brethren that their continueing in their way doth obstruct the work of purging, and rendereth the authority of Church judicatories contemptible; and we have assured them that if they will unite with us, we doubt not (through the blessing of God) to purge the Church sufficiently, in as exact a way as can be desired according to justice. 4, Albeit our Brethren neither do purge, nor will suffer us to trie any of their judgment, yet we are not wanting in that work to our power, but have exactly tried persons upon informations given in against them by our Brethren, though oftentimes the reality or relevancy of their informations are not made to appear when put to triall. Others also we have in severall places under process, and diverse have been purged out in severall parts of the land.

46 §. Having laid open some of the sinistrous courses followed by our Brethren for carrying on their designe, and of the consequences of this rupture, we hold ourselves obliged (in prosecution of the third head propounded) to give an account of what have been our endeavours to prevent or heall this woefull rupture. We need not here expresse what hath been the affliction of our spirits before the Lord because of our condition, and our desires to Him for curing thereof, nor what pains we have taken to lay before our Brethren the evill of a schisme, and how irrelevant their grounds were (suppose true) to bottom such courses upon; nor shall we arrogate to ourselves (in opposition to our Brethren) that we could not, as Christians, look upon the wounds of our Mother Church but with bleeding hearts, and would account ourselves most unworthy of our trust if any private interest of our own should hinder an union, or if we should not stretch ourselves to the utmost (keeping truth and a good conscience) to have our breaches made up. But this we may say, as rationall men, we were the greatest of fools if we did

not thirst and long after union upon right terms, considering that all we meet with in our opposition to their courses is reproaches and many sad disadvantages, our Brethren carrying on most of all their designs and courses, and our endeavours to prevent or remedy them being all ineffectuall and to no purpose, but the exoneration of our own consciences.

47 §. That the sincerity of our desires and our reall endeavours for obtaining union may appear, we shall only point at three particulars. Ffirstly, albeit we continue in our dissatisfaction with their principles and way, and wanted not competent Church power generally throughout the land to have reached them with censures, and did meet with greatest provocations from them dailie, yet (as we have said), since the Assembly 1651 we have never censured on to this day upon the account of the publike differences. Nay, we hope it will appear to these who have observed us and them, that we have forborne to render them evill for evill or railing for railing.

48 §. Secondly, as we have forborne to give any irritation which might alienate our Brethren and make them more averse from peace, so our inclinations to accommodation with them were not at all extorted from us by reason of any disadvantages and prejudices we sustained through our Brethren's irregularities and their succeesse in them. But all along from the beginning, out of our respect to the peace of our Mother Church and affection to our Brethren, we were most tender and carefull in studieing to prevent a rupture, and in studieing to binde up our breach when they had needleslie made it. We have already declared what the Commission's tendernessee was in the matter of the Remonstrance, the first subject of our differences. Our Brethren know what paines was taken in conferences before the Assemblie at Dundee to give them satisfaction in the matter of the Resolutions, and how it was desired that if they could not be satisfied, yet they would but forbear to oppose and actively obstruct the execution thereof, but all to no purpose. It is also knowen how

unseasonably and abruptly they gave in their first protestation and declinature, and thereafter immediately did not only desert the Assemblie, but left the place of their meeting, retireing to their own homes, so that the Assembly could have no opportunity to conferre with them, that they might fall upon amicable wayes to take them off that divisive course. Shortly after that Assembly, when the condition of affaires was so altered as they needed apprehend no prejudice, had the judicatories been never so violent, some of us did deal with some of them, that they would forbear to prosecute their protestations by counteractings or following any irregular course, but would let the matter be for a time, if so be spirits of men might now be calmed and there might be an healing of that rupture. But instead of hearkening thereunto, they proceeded immediately to convene in their extrajudiciall meetings, to erect their pretended commission, and to publish such things to the world and fall upon such irregular actings as did widen the breach and afford us too just ground of fear that nothing would satisfie them unlesse they had all their will, and were invested with cheefe power to manage all Church matters and govern the whole Church. Thereafter in May 1652, at a meeting of correspondents from Synods, it was desired that they would joine in the Assemblie shortly after ensuing, seeing the Assemblie only could apply a fit and effectuall remedy for cureing of that breach. But they did not only refuse to hearken to this desire, but scattered their papers throughout the land (some whereof are since published in print) perswading not only those who had protested against the former Assembly, but all who were not satisfied with the publike Resolutions, not to joine in electing or being elected Commissioners to this Assemblie, a desire (beside the iniquity thereof upon the matter) most divisive and destructive to Church unity, and contrary to the Apostles' rule of keeping unity in a bond of peace where there may be differences in judgment about some particulars, as we are perswaded learned and rationall men will perceive and judge. And albeit they did refuse to joine with us,

yet that Assemblie, being constitute (and notwithstanding they did protest against the same, behaving themselves so in that matter, as we have no pleasure to repeat), did not cast off thoughts of peace, but made an overture to them for peace, wherein all they required was not the retracting of their judgments, nor an acknowledgment of the offence they had given by their practices, which yet had formerly been required of men who had not done so great disservice to the Church, but only that they would for peace sake passe from their protestations and declinations which had made such a breach upon Church government, and led so bad a preparative for any who should please to trace their steps (as a combined party of some ministers formerly deposed did in part at that same Assemblie), and that they would forbear to keep up debates upon the matters of our publike differences as those for the Assemblie were also content to do. But our Brethren did not so much as once hearken to this overture, but utterly rejected it, as hoping to speed better another way in their designes, as indeed they did, some particulars whereof are touched formerly.

49 §. Thirdly, though our Brethren after that time put us out of all hopes of peace, and by their irregular actings and endeavours to subvert the government of this Church for some years, and by diverse means and wayes, did give unto us matter of sad mourning before the Lord, and serious apprehensions of the result of their practices and way, yet, as union was still in our hearts and desires to God both in publike and in private, so we continued in our moderate way of bearing their injurious reproaches, and forbearing to imitate them by any censures, though sometime the judicatories were necessitate for their own exoneration nakedly to answer their reproaches, and declare their dissatisfaction and non-approbation of their irregularities. And when we were hopelesse of curing our publike differences, at least till we had a Generall Assemblie, yet, considering the many disorders following upon these differences, we did at a meeting in June 1655 propound some overtures to our Brethren for preventing

the totall subversion of Church government by these disorders, till an Assemblie might meet, which were rejected by them. Thereafter, when they did professe a desire of union (which how and upon what account it came on foot among them, themselves best know), and accordingly there was a meeting and conference for that effect in November 1655, we gladly laid hold of the opportunity, and, laying aside all prejudices, did stretch ourselves to the utmost (keeping truth and a good conscience) to gain them, if possible, to an union in the judicatories of the Church. The papers which passed at the conference are in the hands of diverse, and will speak for themselves, and (we are confident) will plead for us in this matter, in the judgment of discerned and unbyassed men. The particulars of our condescensions are too large to be here related. Only let this suffice in briefe. In order to peace and union, it was offered that (whatever was our own judgment of the censures inflicted upon any by the Assemblie at St Andrews and Dundee yet) we are content that all these censures should be taken off, and that in such a way as might neither reflect upon the Assemblie nor our Brethren or us; that any Acts ordaining censures because of these matters should be sisted, till an Assemblie wherein we should endeavour the abrogation of them; that in our after joint actings we should abstract from all reflexion upon bypast differences; that as to the matter of the Resolutions and the two contraverted Assemblies, however we could not in our consciences condemne nor be consenting to the annulling thereof, yet we did not urge them to renounce their owne judgment in either of these, nor that they should passe from their protestations as a standing testimony of their judgments (whatever we judged they ought to do). But we were content that these Resolutions, and Acts and Declarations concerning the same, should never be urged against them as the definitive judgment of this Church to any effect, that the authority of these Assemblies should not be urged against them, that (however we doubted not of the lawfull constitution thereof yet) ensuing Assemblies should be con-

stitute according to the constitution of the Generall Assemblie preceeding our differences, and that we would not binde them up, if they pleased, from propounding reasons to any ensuing Assemblie against the publike Resolutions, though we judge they would never be able to bring any sufficient reason against them. Only we desire they would not urge us to renounce our judgments in condemning these Resolutions and declaring null the authority of these Assemblies, and that they would declare that they should not at any time hereafter make use of these protestations in any judicatorie to call in question and annul the constitution and authority of these Assemblies so long as the authority thereof was not urged against them, which if they did not grant we could not but foresee the ruine of the government of the Church. We did also (beside other particulars) offer unto them that not only should Synods take their determinations into a second consideration concerning the irregular plantations of Churches by our Brethren, but should follow amicable wayes of arbitration by judicious Brethren of both judgments, antecedently to the Synod's recognitions, as also that we should concurre with them in all effectuall and orderly wayes for purging out any insufficient or scandalous ministers.

50 §. We hold it not necessary to discourse upon these our condescensions, seeing we hope it will appear we did stand upon nothing which might be consistent with the safety of presbyteriall government, and with the simple not condemning of our own judgments in the matters of our publike differences, which (with more also) we did allow to our Brethren. Nor shall we dip into the reasons which moved them to decline union upon so reasonable terms, or whether some among them were but too active to keep off others who were moderate. Wee might also clear how little they (or at least some of them) minded union all along, in that not only in the verie time of the conference they voiced and agreed upon the continuance of their pretended Commission 1650, and did resolve and conclude to petition the Councill here that power might

be granted them to purge the Church. But in that, all they seemed to concede was qualified with this ambiguous preface, of reserving the liberty of their judgment and practice in matters contraverted as may be consistent with truth and peace, upon which they would never give a clear commentary, though desired thereunto. But leaving these, we shall briefly declare what the particulars were upon which the union chiefly stuck.

51 §. 1, Our Brethren would not condescend to any union unless the Acts concerning the publike Resolutions were rendered of no effect, so far as they do import or may be alleaged as the definitive judgment of this Church, concerning the matters contained therein, which, however they glosse the matter in conference, was in effect that we should condemne these Resolutions in our judgments, and should annul the authority of the Assemblie which had determined them as the definitive judgment of the Church. This is no conjecture of our own, but clearly held out in their last paper at that conference, wherein they complaine of our not granting of this, as supposing and inferring not only the constitution and authority of these Assemblies, but also (in shew and appearance) the justice and equity of those Resolutions. Whence any man may gather that to grant their desire was not at all to suppose any authority of these Assemblies, but not to fear the least show of the justice and equity of these Resolutions. Which if it was to seek peace and union, and not rather that we should betray and yeeld up our judgments, and the truth (as we beleewe), let any judge.

52 §. 2, They would not unite unlesse an extrajudiciall committee of equall numbers of both judgments were set up to manage the chiefe matters occurring in our Church, which unto us was a casting of the government in a new modell, wholly overturning it and enervating the authority of Presbyteries and Synods, and allowing to our Brethren at least a negative voice in all matters. This we could not but look upon as a way of government not warranted by the Word, and more tyrannicall than the yoke of Prelacy. And though the whole number had

been offered to be men of our judgment, yet we could never hearken to a proposition so destructive to the government of the Church.

53 §. 3, They declare also to engage themselves to that submission to the government and to observe that subordination of persons and judicatories in matters of discipline which we were willing should be mutuall. And albeit we required nothing but what is essential to presbyteriall government, and that which the Assembly 1647 in the Act concerning the CXI. propositions, in the 7th head of doctrine therein contained, doth appeare, and albeit their former actings had given us just cause to require the same might be secured for the future, yet they did wholly decline it, which was in effect to make all union void, for had we agreed in all things beside, yet when they pleased they might have stept out again at the door and made the breach worse.

54 §. We have thus briefly declared our minde in these matters of our differences, and given a true account of the consequences thereof and of our carriage thereupon, not (the Lord knoweth) to render the persons of our Brethren odious, nor to be an impediment to union, but only for our own vindication, and to prevent any prejudice to the cause of God and the government of this Church, through our silence now when they are so active in prosecuting some designs prejudiciall thereunto. As we have no greater ambition in the world than to have this Church united in the judicatories thereof, in its former harmony and unity, and as we derive no particuilar interest nor desire anything but what tends to the common good of this whole Church, our Brethren's as well as ours, so our hearts and armes are yet open and ready to embrace them upon safe terms, providing they will not seek anything irregular and destructive to or out of the channell of the government. We are perswaded in our consciences that the discipline and government of this Church is agreeable to the Word, and we in this nation are obliged by the oath of God to the maintenance thereof, and to continue therein all the days of our life. And, therefore,

we cannot recede from it in the least, but are resolved in the Lord's strength to adhere thereunto. And as our Brethren are engaged with us in this bond (which makes their course the more sad and greevous unto us), so we cannot but expect to be encouraged and countenanced in this resolution by the people of God in the two neighbouring nations, who are bound by the same oath of God to maintain the discipline and government established in this Church. But if our Brethren will still persist in their irregular designs, and if it please the Lord (for the further exercise of this poore Church) to permit them to speed in them and to overturne yet more the government they are bound to mantaine, we must leave the matter upon the Lord, and wait on Him, contenting ourselves that we have delivered our soules and are not accessory nor consenting unto any such destructive innovations.

Letter to Messrs. Calamy and Ash

RIGHT REVEREND AND DEAR BRETHREN,—We are not a little refreshed with the expressions of your tender affection in your returne to our last, and with the account we receive from time to time, by our Reverend Brother there with you, of our respects to him and your solicitude for the interests of Christ among us. It cannot but sadden our hearts that the Lord hath made us a talk to nations round about us by our divisions. And that now the affairs of our Church, which heretofore have been sweetly transacted at home in Christ's Owne Courts, are now carried abroad and brought upon the stage before others. But as we never sent any to procure any peculiar benefits to ourselves, but only to see if we could make void what M^r Meinyes (who had formerly forsaken Presbyteriall government) and M^r Gillespie by misinformation had obtained destructive to the government of the Church, and to endeavour to secure the common liberty of the Church judicatories which might contribute to heal our rupture, so if our Brethren minde nothing but the true interest of piety and the security of Presbyteriall government,

we will say it they put themselves to much paines to effectuate that which we do always offer unto them at home. However, let the Lord dispose of this matter as seemeth good in His eyes. Yet it affords us no small satisfaction that hereby we have an occasion to poure out our hearts in your bosome, whom the Lord hath made so tender of our sad condition, and to be helped by your brotherly assistance and advice, which we do heartily reverence, and desire and hope the Lord will recompense this your worke of love. We cannot but expect (by what we know of our Brethren's spirit and way here, and of those in particular who are now with you) that they will lay out themselves to the utmost to carry on their designe and to make us odious by spreading reports in matters of fact to our disadvantage, and that they will emprove any respect some of them have formerly gained for that effect. It doth comfort our hearts that the interest we plead for is not our owne, but His who knoweth how to maintaine it, and that lovers of truth and the presbyteriall government there are not unacquainted with such assaults and sufferings as to have a good cause borne downe with misrepresentations, and an opposition unto it carried on with fair and plausible pretences. We have already had some taste what their way will be, by a vile paper which, we hear, they have put in the hands of our dear Brethren and others there, which we professe we could not look upon without amazement and sorrow that men should have the boldness (to say no worse) to spread such a paper to the prejudice of their Mother Church and Brethren, and that among strangers; nor can we imagine what should be their designe in it, to asperse not only Brethren but the generality of Church judicatories, yea, and of the Nationall Church, while yet they spare some few judicatories wherein they do prevaile, unlesse it be that they would contribute their endeavours to overturne the constitution of this Church and the government thereof, that they may new modell it. Ffor our part, we could heartily wish that discerning and unbyassed men were acquainted both with those upon whom they particularly reflect and

whom they crie up in their paper, and that such were spectators of the carriage and expressions of both in the Church judicatories, being confident that they would easily discern who they are that breathe sobriety and love to truth and peace, and who do otherwise. And were it to any purpose to publish stories of fact in matters known to us, and to search through the countrey for to finde out the true storie of what they have raked together from all quarters, we could easily make the falsehood of these reports to appear, beside what we might but too justly recriminate. But as we are confident that ye and others of our dear Brethren with you will not be taken with such courses, being well acquainted with the like conflicts in the service of your generation, so we nothing doubt of your care to undeceive others who, it may be, are not so well acquainted with such engines and courses of men, thankfully acknowledging your care in this heretofore. And albeit we cannot, nor will we dip upon matters of fact to represent the falsehood thereof, yet we conceive ourselves bound in conscience to lay a few things before you (our dear Brethren) in reference to that paper, if so be it come to your hands; and that so much the rather, as we beleve they will frame their discourses, when they have occasion to speak with you, much to that purpose.

We do joine with our Brethren in a sad regrave that indeed there is a great decay of the power of religion and a great increase of prophanity, by reason of the condition of the times. And as we desire to be sensible thereof, and will not justify our own failings in that particular, so we dare confidently assert it that the rupture begun by our Brethren and their way and actings under the name of the godly party have given a sadder stroak to piety within these few years than we have known in our time. Ffor hereby not only is Church government trod upon, a ministry despised by reason of the contentions, and people stumbled and turned opposite to piety when they see the carriage of those who professe it, but even such as professe religion in a more strict way are (many of them) turned off from their great work of heeding their

own condition, and set upon speculations that lie far out of their way to heaven. Hence it is that many of them who were at first only embarked by our Brethren in their way are now turned aside to error; yea, and diverse of those become Quakers. And whereas they would fasten upon us an opposition unto piety, alleaging that we put no difference in doctrine or otherwise between the clean and unclean, yea, that we countenance and converse more familiarly with prophane and disaffected than with the godly, we shall forbear to retort how familiar some of them are with some, and how they court others of the most eminent of these, for the receiving of whom we stand accused to this day of a defection, whereby they pretend to justify their ruptures. And the judicious here cannot but observe how they labour to ingratiate with all sorts of people, that they may make a number and appear considerable. But for our own part, though we have held it our duty since we were intrusted with the ministry of the Gospel to become all things to all men, that we might gaine some, and we dare not be of our Brethren's judgment concerning many whom they deerie because of their differing from them, yet we cannot but leave their accusation before the Lord as a bitter and unjust calumny. Our hearts (we blesse the Lord) do not condemn us in the matter of our doctrine, as if we did promiseously cast pearls before swine as well as others, or did not make a difference betwixt the precious and the vile thereby. And we do heartily blesse the Lord for the fellowship we enjoy with His people and lively professions (most whereof of the old stamp do not approve of our Brethren's way), and for the peace we have in not strengthening the hands of the wicked, by our conversation with them. It is true indeed (and we beleve that is the generall) we do not approve that they should appropriate unto themselves the title of the godly party, that under that cloke they may defame their Brethren and Mother Church, and promote their own designes so destructive to order and government. Neither will we deny that in matters of Church discipline and order we have learned from Christ

not to judge of things according to appearance, or by persons who own them, but by the rule. And if we do not concur with, nor approve of the irregularities of persons who lay clame to piety, but do owne truth and order, cleave to it who will (though we will not justify our Brethren's censures of all their opposers), we hope no unbyassed men will judge us enemies to piety or pious men because of that, but will rather reckon that we are about the work which all godly men should be at, and that it is a shame for men professing godlinesse to be found in opposition thereunto, when others, toward whom they have no such charity, do owne it. We finde a great deale of noise made that we do promiscuously admitt men to the Sacrament, to the profession of their publike repentance, yea, and to the office of elders and deacons. But we shall not reflect upon our Brethren's way in these things, how they homologate with the verie principles of separation in severall particulars, and how some of them have debarred sincere and godly Christians from the Sacrament meerly upon the account of the publike differences. Only this we say, that, as both the rule and practice of this Church before our differences are patent and known, so we do still approve thereof in our judgments, and accordingly observe it in our practices. And if any particular minister do violate the same, the judicatories are not wanting, upon complaint or in their visitation of congregations, to redress it. But if our Brethren do condemne the rule of our former way (as indeed in their practice they take a new way in the most of these), we hope none will charge that as a defection upon us. The like return we give to their challange that we condemne those who do not joine with the ordinances in their own congregations, and that we do speak evill of the meetings of Christians for prayer and mutuall edification. Our Brethren know that in the Assembly 1647 there was an unanimous resolution taken and directions given in these things which they do not observe. We know of none that have meddled with any who usually desert their own pastour and congregation, though we feele some ill fruits of it and heartily

wish it were amended. And we do in our hearts approve of the performance of the duties of mutuall edification, as they are enjoined in the Word and gone about with prudence and charity, and do from time to time presse them from the Word as we have occasion in publike and private. And though we meddle not with our Brethren's way in these things, yet we beleeve none who are judicious and prudent will approve such confluences, as they gather together upon such occasions, and their very open way in them, in so much that verie mockers may have accesse thereunto, to catch advantage. They make a great noise of removing ministers upon the account of our differences, when yet (as we before told you) none have been censured since the Assemblie at S^t Andrews and Dundee, and then only three deposed and one suspended. And as we will not insist to clear the justice of these sentences, nor can we conveniently now give an account of the reasons necessarily pressing the Assemblie then so to appear against our Brethren's way, so we thinke our Brethren need not to talk so much of it, since they suffer so little thereby, and have never submitted to these sentences, and we have often given our consent to the taking them off, upon an union. What they object of secluding elders from judicatories, and expectants from entering to the ministry, will (we hope) appear but weak, when it shall be considered that the Act of the Assemblie reacheth no elders but such as subscribed the protestation, that they are not to be secluded from congregationall elderships, that all required of expectants is that they passe from the protestation, if they have subscribed it (which is the thing also required of elders), and give assurance not to disturb the peace of the Church by keeping debates about the matters of our publike differences, which was to be required of others also, and that this Act as it relates to expectants is put in execution in few of all the judicatories of this Church, and not at all as it relates to elders, but both expectants are admitted upon an orderly call, and elders are allowed in our severall meetings, though they do most vigorously follow their way. We beleeve all these who judge aright

of the matters of our contraversy, and how destructive that protestation was to the established government of the Church, will account it a most innocent defence on our part (had it even been prosecuted) to secure the peace of the Church against needlesse debates, and to prevent the ruine of all by admitting of men resolute to overturne all. And however our doing so might be constructed, had there been any hope of union or had our Brethren sitten still after they had (as they judged) exonered their own consciences, yet it cannot but justify our caution in this particular, when it shall be considered that in that time our Brethren were most violent, in printing, preaching, and acting, to carrie on their course, and we could not be answerable to our trust if we did not some way interpose to stop the current of innundation, being alwayes ready upon an union to passe all these things. And we wonder how they could expect that if we were men of conscience, and beleevd we were in the way of God, they should have liberty to do what they pleased, and to cast out and keep out men who were opposite unto them, and yet the judicatories of the Church should do nothing to put a stope (if it were possible) to the progresse of that schisme. We passe what they so much insist upon, of the matter of purging the House of God, as hoping that by our last ye have received satisfaction in it, and shall only add a word to what they say of our opening the mouths of and readmitting ministers formerly deposed. It is not unknownen in this Church that of late years many were deposed upon the account of their miscarriages in the trialls of the time, who afterward were readmitted. Only caution was used that they should not be placed in the charges where they did formerly serve. In severall Assemblies before our differences, there are diverse instances either of their own opening of the mouths of such or remitting them to inferiour judicatories or their own Commissioners for that effect. So that we walk in no new paths in that practice. And as for some of them whom we know, and whose mouths were opened by ourselves, to say nothing that some of our Brethren did concurre

in taking in some as guilty, and on the same terms with others against whom they are out, we beleve they are such as would be looked upon as able ministers of the Gospell in any Reformed Church in Europe. And if there have been elsewhere any particular persons taken in who ought to have been kept out, as we do heartily disapprove thereof, and had we a Generall Assemblie to trie the proceedings of Synods, would not faill to see it redressed, as was our custom in the like cases formerly, so we beleve such supposed particular miscarriages will be looked upon as a verie irrelevant ground of their rent, when they ought rather to lay aside their divisive way and unite with us in truth and love to keep matters right in judicatories. It hath been nothing unusual in this Church that men have been readmitted without the consent of many who have voiced against it in Assemblies before our differences; and yet when it was carried, men had then more prudence and charity than to defame the Church that did it, far lesse to bottom a rupture upon it.

We have offered unto you (reverend and dear Brethren) some few hints upon their paper, nowayes apprehending you will judge us unable to answer what we have passed, but that we are unwilling to trouble you with stories such as theirs are, being affrayed that it cannot but take you off better work to hear so much. As we ourselves have the sad experience of many unpleasing diversions, by reason of our differences, and we are sensible those matters of fact cannot be anywhere cleared but upon the place, and as we take the boldness to trouble you in these matters and to expect that ye will lay out yourselves for a poor bleeding Church and in defence of the innocency of your suffering Brethren in it, so, if we and others concerned find it necessary that there be a positive answer to all their accusations and instances, we will not be wanting to vindicate ourselves, whereof you may afterward receive a more particular information. All which we desire to be made use of no further than for our own defence against the violent intendments of our Brethren, being still the same as to our readinesse, with open hearts

and armes, to embrace and unite with them upon saffe and sure tearms consistent with the preservation of the precious interests of Christ among us.

We shall adde no more but that we account ourselves obliged seriously to declare unto you, our reverend and dear Brethren, that we are sensible of the hazard of presbyteriall government by our Brethren's courses, and that it is only for the preservation thereof that we endure their violent and bitter opposition, though with much greefe and vexation to ourselves. And being a common hazard, we will not doubt of your prayers to God for us, to whom we heartily recommend you, and are your verie loving brethren,

DAVID DICKSON.

Mr ROBERT DOUGLAS.

Mr MUNGO LAW.

GEORGE HUTCHIESON.

Edinburgh,

5th February 1657.

Direct

Mr JOHN SMITH.

To their Reverend and Dearly Beloved Brethren,

Mr Edmond Calamy and Mr Simeon Ash,

Preachers of the Gospell, in London.

1. Letter from Mr Sharp of his debate with the Protesters before the Protector

REVEREND SIR,—Yours of the 5th instant I received, by which I perceive that all mine hath come to your hands, for that which I touched in reference to the observing of a day which is to be upon the 20th of February I am satisfied that I did not offer my opinion in it, but exonerated myself in discharge of that which was moved to me, as that which he apprehended might without wronging of the conscience have prevented the disadvantage, may be made use of to our prejudice at such a nick as we are now brought upon. It is no small part of my trouble that I should be put upon the making of such ungratious motions to you. Your letter to Messrs. Calamy and Ash, as it is upon the perusing of it verie refreshing to me, so it will be of good use when delivered to them, which I purpose to do to-morrow. M. Gillespie, at our speaking at White-

hall, told me I had so prepossessed the ministers hereabout that it was needless for them to speak with them. I told him that I had spoke with judicious godly ministers who could discern of what is right and wrong ; but it seemed they were not affrayed of any prejudice that way, when they had engaged the court ministers and officers of the armye to be for them. I finde by M. Manton and others that our protesters here are not sparing in their censoriousness, and passing their judgment upon all the godly Presbyterian ministers as carnall formall men ; and where they expresse charity, it bears favour to none but such as who are opposite to presbyteriall government, and are taken with the representation they make of their cause and way.

By my last I told you that I was surprysed by an engaging into a debate upon Monday last. That morning, while I am abroad to speak with Colonel Jones, I have notice that one of the Protector's gentlemen of his chamber was sent to my chamber to call me to Whythall. I, apprehending what the bussines might be, went to my Lord Broghill, who sayed it was fitting I should appear, but if I should speak to Colonel Jones, that we might be put off in regard I had not due advertisement and could not be in readiness to offer what I purposed as to my carand. He would speak the Protector, who would putt it off. I went to Whythall and told this to Colonel Jones. My Lord Broghill was necessitated to goe to the Parliament House. When I came to the Privy Lodgings at Whythall, I was brought into a room, where I found the whole caball of your protest and Dr Owen, Messrs. Lockyer, Manton, and Caryll. It was saddening to me to have such partiall witnesses, and to enter with such men into a debate face to face which would tend to the discoverie of our poor Church's nakedness before these who might take advantage to contemne us, and cast further prejudices upon the Presbyterian cause. Yet I said I could not avoyd if called to appear.

So being all of us called into the Protector's chamber a little before eleven of the clock, where were present the

secretary, General Major Desborrow, Colonel Jones, Sir Gilbert Pickerin, the Protector had a short speech, wherein first he spoke to these whom he designed as sent from the godly party, that for their first proposition about magistracy to be put in the hands of godly men, he said that his end was that godlinesse might be promoved, but for the mean leading to it, as it was proper for him to take care of the choyse, so he would labour it should be such as might reach the end, and in time that should be made appear, though he would not have them to judge him to be of the opinion that all who were godly were for the true interest of godly magistracy, some being 5th-monarchy men, some turning Quakers; neither was godlinesse a qualification to fitt a man for everie trust or office. Then for the other proposition in reference to the ministry and Church, he not trusting to his own judgment, he had called the four whom he named there to be present to be witnesses to what wee should say. Then he spoke to me, who had come from the Publike Resolutionars, that I had been with him thrice, and had spoke that to him about other matters which in profession were reasonable and plausible. (These are his words; what sense may be putt upon them I know not, but I do disclaime anything that may import a further plausibility than your instructions did allow.) He desired to fall upon that way which might tend to the good of the Gospell and encouragement of godly men in our nation, but for the way at this tyme he was to seek. Then he said he had received papers from those gentlemen. He asked me if I had given him any. I answered I had given none save one containing in six lines the sume of our desires. I had appeared here now to testify my obedience to his call, of which I had notice given after 9 o'clocke. Had I been acquainted sooner with this appointment, I should have been in readinesse to have offered what concerned my earand, and for clearing of his Highnes to have received and answered papers according as he should order. I thought that I being alone was at a disadvantage to enter into a verball debate with so many, and therefore I conceived

it more convenient for avoyding the inconveniences and escapes might follow upon a verball debate on both hands, that the clearing he sought for about our bussines might be by papers. He answered, 'That way will draw to a greater length of time than I can allow. I have sett a part of this time for you. May you now speak that here which you did to myself.' I replied I was not to impose upon his Highness as to the way he thought fitt to take with us, and though I did not expect to have been putt to a debate about our cause in such a presenee, yet if he called for it, I should not declyne to give testimony to the truth and equity of the cause I was imployed in, according to my weaknes and the instructions given to me. Then he rounded to M. Secretary and sayed to me, 'Speak on then.' So I spoke to this purpose, that in regard the Church of Scotland was oppressed in the use of her just rights by the eneroachments and usurpations of that party whereof these gentlemen were the prime leaders, my earand in this place was not to move for any new thing, or to pursue a carnall selfish designe of any private advantage, but to desire that the discipline and government, etc., which any minister or private man might make supplication for, and which liberty we intended to manage without prejudice to the civill state, and without doing hurt or oppression to our Brethren, as they do causelessly give out, but we are sincerely desireous, etc. The Protector said, 'Well, I thinke that which Mr Sharp hath spoke giveth an fair entry to the tabling of this bussines.' Guthrie replied, 'I would desire to know if Mr Sharp doth seek for a Generall Assembly, and that none of us who appear here are against the liberty of the exercise of the Government of the Church; but seeing it is in a troubled state and the plurality thereof corrupt, we conceive it ought not to be granted without security to the godly.' And I sayed, I might have expected that those gentlemen would have concurred with me in so just and reasonable a desire, they being under the same solemne ties to cleave to the government as established, as those are who stand for it: but seeing they propose

questions to me and make replies to stop the granting of my desire, and which import some new things to be imposed upon our Church, I would ask by what authority they appeared there, or who could give them a commission to, etc., since they could not be ignorant that by the order of our Church none could, etc., and for their asserting that our Church was troubled and corrupt, we saw it to our greefe troubled by them upon no other account, but because they carrie not their will to bear the sway and overrule and overturne all; and that it was corrupt, I did denye it and would averre it was a most bold, injurious, groundles scandall. Then at a bend speak Gillespie and Wariestoun. It is impossible for me to give you a full account of all the passages. The weaknes of my body will not allow the overstresse of sitting up nights and all the day long. I have enough to do to goe hither and thither as the necessity of my imployment requireth. And now to recollect my thought about the particulars of our differences that I may take a fresh view of the particulars which may be incident to a debate, I had never on any terms engaged in this service had I thought I should have been putt to a debate on a cause of such concernment with these men, who I thinke have promised hudge advantage to themselves by it. Therefore I shall now give you hints of the most material particulars. Gillespie spoke to their Commission from the godly ministers, Presbytries, elders, professors, etc., and that he doubted that all of any judgment knew of my Commission. At the 1st, 2nd, or 3rd bouts I found that I was at a great disadvantage by suffering 2 or 3 of them to speak continuedly, and so I was putt to resume 9 or 10 particulars in my reply, but afterwards when courage, freedome, and clearnes in the points they spoke to did grow upon me, I stopt the ones speaking after the other till I made my answer. Till Gillespie I sayd, I had not mentioned a Commission from the judicatures of the Kirk, and therefore did not appear here in a publike capacity to, etc., but a Commission I had from honest men to plead in behalf of an oppressed National Church which, if there were necessity, would be owned

by all who did stand for the government, etc., and I supposed they would have little cause to brag of the members who sent them, who, pretending to godliness, could not be thereby warranted to appear and speak here in matters of publike concernment against the order of that Church, which they could not without sin violate ; but they had in this followed their former way of trampling under foot, etc., as they had done in the beginning by accusing and condemning the Church and their brethren before they were heard, and publishing as causes of God's wrath that which are known duties, and so furth to this purpose. At which Warriestoun comes off with his rambling usual expressions of our taking in the Malignant party, our turning the mouth of the cannon against the godly, our sinfull treating with the head of the Malignants at Breda. I replied that I desired that what I spoke to the cause might not be taken as reflection upon, etc. I sayd it was a forgery that we had taken the Malignant party, and Warriestoun's conscience could tell him that at the applications of the doctrine in our pulpitts the godly were not stumbled nor wronged nor cannons discharged but against sin. I desired that what we did in reference to the magistrate and civill state which was might not be charged upon us and made use now for oppressing us in our just rights. If called to it, we were ready to justify all our publike transactions therein ; but I thought strange how the Lord Warriestoun should instance the treaty at Breda, since I could assert it that his hand was as deep in that treaty as any one man's in Scotland. Warriestoun replied he was reflected upon. It is true he had consented to that treaty, but did repent of it, which he doth here declare to his Highnes. 'I know you doe,' said the Protector, 'but speak no more of this which doth not concerne your present bussiness.' I sayd I had not spoke of it had I not been necessitated to doe it, and the Lord Warriestoun had acknowledged his consent to that treaty, and that he did repent of it. I was not against any man's repentance for that which he takes to be a guiltyness ; but I offered to be considered whether

that which a man doeth in his publike capacity towards a transaction passed in the view of the world, it be fair upon his after repentance to retract it, so as in his private capacity he can be satisfied with nothing but the overturning of it.

The Protector bids us leave that and goe to the main bussines which ought to be driven to an issue at present, and that is whether such men as some of these were, seeking for a reformation, ought not to be heard, so as your Church in its present constitution not being in a capacity to reform itself, there should be an extraordinary remedy made use of. I answered that I thought that that was the issue these men did drive at, but I conceived we are too soon putt upon the disputing of that point, which is extrinsicke to our differences and brought in upon the by. It were fitting that the rise and progresse, the true state of our differences were first spoke to. His Highness answered, 'That will be a tedious bussines, and wherefore goe to that?' I sayd we were a National Church known to be orthodox in Doctrine, pure in the rule of worship. These men had rent from us upon a practicall State question, and carried on that rent with all the irregular, insolent actings which were overdone in a constitute Church; and now to justify all, they will forge a new fault upon us, and under pretence of our corruption drive at a power to themselves; to rule and order all after their modell. I pressed againe that it might be considered if that was fair dealing, and that a few discontented men, corrupt in their judgment about, etc., should be heard to charge the bulk of a Nationall Church as corrupt in this place, when at home no accusation, tryall, proof, censure hath passed against them. I spoke with some vehemency and amplification of severall particulars to this heed. Their reply was upon the score of the godly, etc., to which I answered that I would speak nothing in prejudice of godlines. I knew their assertion would not be taken for a concluding argument, that it was only to be found in their opinion and way, and though it were yet in the matter of right and wrong about which we

were pleading, it ought not to determine the cause ; but I would assert it was a groundles assertion of theirs, for I knew no discerning godly impartiall man who knew the nation of Scotland that would denye there were more sincere seekers of God amongst those who stand for the publike judicatures of the Church, than there were either good or bad of the protesting party. Mr Gillespie said he did not expect to heare this asserted by any professing godlines. They had two hundred ministers of their judgment, who were all godly men, and in one province where he lived there were 25 thousand who owned them. ‘So many?’ sayd the Protector. I replyed I wondered to hear Mr Gillespie at this assertion, which if a personall one of mine and rash, a thing I would be loath to assert in such a presence, he may know this was published two years agoe and was never answered. Gillespie replyed, ‘Mr Sharp’s charity is larger than mine, taking all for godly who came into Worster and were admitted as penitents.’ (This he said in his usual, insolent, laughing way, which Mr Manton, as he afterwards told me, took notice of, saying, ‘Lord deliver me from a man who answereth my argument with laughing and flouting ; such must be a man of an overbearing, insolent spirit.’) I sayd my charity was not so large as he was pleased to give out, nor so strict as Mr Gillespie’s to limit it only to those of my own party. I did distinguish betwixt such who were godly in the Lord’s account and such who were free of scandall in a Church, betwixt members of the visible and members of the mysticall body of Christ, for these we had received as penitents who came to Worster. If he thought fitt to touch upon that string, the Church would justify what was their acting towards such. Warriestoun spoke that they had emitted somewhat in print which was never answered, that some of us had refused to passe from the publicke resolutions upon this ground that this might barre the bulk of the land from rysing in armes to assist Charles Stewart upon his invasion of us. I craved leave to say that I expected not to have heard such an odious allegation, to say no worse ; but I would attest Warriestoun

if he could say that any Church judicature had uttered such assertion or made any such Act. I do not remember his verie words, but he spoke as if he would have had it beleevved this had been the deed of a judicature. His answer was he did not assert that it was averred by a judicature, but in debate with some of our judgment this was privately given as a reason by one. I sayed I came not hither to answer all that was alleadged to be sayings of a private person ; but sure I was this was not fair to make such a private allegation so publike. ‘These things,’ sayd the Protector, ‘I love not.’ I forgott to tell what further I answered to Gillespie, that I would give this reason for my assertion. Let there be a view taken of the nobles, gentry, burrowes, and body of the land who had hazarded and suffered so much for the work of reformation, and let it be seen how few of them own their meetings or way ; and I hoped that the bulk of a Nationall Church, enjoying the Gospell and suffering so much for it, would not lye under that prejudice as to be taken for godlesse and profane. I spoke to his other alleadgance, and then comes Guthrie to prove our Church corrupt.

Of what he asserted, and what were my replyes, you shall have by the next. I must now breake off here, when I have told you that we waited yesterday in the afternoon for another debate, but his Highness send us word he was not at leasure then, and he would give us notice when he could come againe. The Protesters may say and spread reports as they will about this debate ; but I know what the Protector and the other witnesses have sayed, and I blisse God I have no discouragement upon my heart to appear against them, but I thirst for another bowt that I may in the Lord’s strength give testimony against their lyes. I have found, as I conceive, where their strength lyeth, I mean their false allegiance of our corruption ; and I am not affrayed to disprove their calumnies, and decypher their way and actings as God shall enable. I shall add that Doctor Owen this night hath sent Mr Wil. Robertsons, our countreyman (who hath given verie freely his sense of our Brethren and their

way to the Doctor, as he tells me to their little advantage), to desire to be acquainted with me, expressing his satisfaction with what he heard before the Protector, and desiring to be cleared in some things, and the rather that they have sayed I did cast it as a reflection upon them that they made use of such a man as he. I am informed he is their friend and great agent, and yet had a purpose to give him a civill visit; and now, he having desired it, I thinke to do it to-morrow, but I shall carye warily with him. Manton tells me that Mr Caryl was satisfied with what passed, so as he thinks we have mett with hard measure from our Brethren. I had much more to wrytt, but I am called off; and pardon this confusion and abruptness, sir, yours,

JAMES SHARP.

London, 12 February 1657.

They alleage to Owen that they have 200 godly ministers on their side, and we have reponed and taken in of late above 60 profain, vile men, *os impudens*. They were dashed the other day, and God, I hope, will do it more.

Direct

Ffor the Right Reverend Mr Robert Douglas,
Minister at Edinburgh, Scotland.

The 2nd Letter from Mr Sharp of the 1st debate with the
Protesters before the Protector

REVEREND SIR,—By my last of the Thursday's poast (having received none from you by this) I gave you some accounts of the heads that our debate before his Highnes did rune upon, but was interrupted, so as now I shall touch upon some more. Gillespie having called us Resolutions, I sayed though we did not disown the Publike Resolutions, being ready to justify them against whatsoever they could bring against them, yet I know not why that designation should be given to us, since the rise of our rent and the cause of their departing from our judicatures came not from those Resolutions; we did not

arrogat to ourselves the name of the godly party, though we are by the grace of God what we are, desiring to be approven in our way to God and man in all good conscience ; our hearts did not condemn us, nor man could not justly charge us as countenancers and promoters of ungodlines ; that he had asserted that so many ministers did own them who were all godly, and that so many thousands in one province were for them ; I did wonder at that assertion, and would disprove the first, and thought that as to the 2^d, Mr Gillespie would not cast the hazard of his cause upon a neer equality of numbers. (I should have spoken more to this, and purposeth by God's help so to do at the next bowt. But the truth is my mind running upon many particulars I had to resume at that time, I passed that too slightly). Then by all three (Simpson and Greinheid not opening their mouth at all) it was clamoured that by the Acts of our Assemblies, ministers and elders were barred from sitting in judicatures, godly young men of their judgment kept from the ministrie because they would not renounce their judgment, and thus a greivous persecution raised and continued against them. I was amazed at the impudency of their allegations. His Highnes, as in other particulars, so in this, backed their alleadgeances, saying this was strange. My answer was that there might not be weight layed upon this assertion till I were heard speake to them, for these Acts they speak of barring all young men of their judgment from entering to the ministrie, the Synod and Presbytrie of which I was a member, who I thinke are chiefly meant by these gentlemen, did make an Act that, etc., which they were necessitated to make for preserving the peace of the Church, since the Protesters' activity for planting Churches with those of their own judgement was such, as many young men upon hopes to be preferred by them did in sermones and other wayes vent their bitterness about publike differences to the great scandall and disturbance of the Church, and we conceiving these debates both needless, the matter of them being now extinct and gone ; and they tending to keep up the fire that was like to con-

sume, we thought we were bound in conscience to quench that fire, by doing our endeavours, that professing to live peaceably and abstaine from, etc., which we thought they were bound to, and if this was an injurious Act I appealed to all sober Christians to judge. Besides that I knew none barred from entering to the ministrie by this Act, and I could upon my own knowledge say that, notwithstanding of this Act in the Presbytrie where I lived, there was a young man professing to be of the Protesters' judgment, who was yet admitted to the ministrie amongst us and at this day is one of my co-presbyters. By that Act we reserved to men the liberty of their judgment only, etc. This being vehemently pressed by them and thus cleared by me was taken speciall notice of by the spectators, so that the gentlemen made no reply to what I had spoke as to that Act. Gillespie alledging the Act bore more in it (they had the copy of it by them), I sayed I had read the Act and heard debates about it, and would assert it was truth I had spoke ; and for prooffe desired the Act might be produced. This was shifted ; and Guthrie desired I might be posed whether I knew not that there were Acts made by the two late Generall Assemblies printed to the view of the world, which did appoint all to be censured who did adhere to that protestation, and barred ministers and elders from sitting in judicatures etc. Warriestoun addit that he himself who had ever sittin in judicatures was barred that he could sitt in no judicature now. I sayed I would first reply to Warriestoun that I would averre that he could not say he was barred from sitting in judicatures, and that the Presbytrie of Edinburgh where he liveth neither would nor did exelude him from sitting as an elder amongst them more than other elders. I would pose him in this if he could deny it. He sat silent, making no reply. Then I sayed as to that which Mr Guthrie posed me, I shall positively answer that any Act made since our first breach at the Assembly of St Andrews by any Church judicature was in order to the peace of the Church and to prevent the confusion was like to come by their disorderly and violent courses ; and

for the Acts alleaged, I desired that nothing might be fastened upon them till they were seen and read, but whatever could be sayed of them they should not be brought as an argument to prove the poynt we were upon, since no use was made of them to the debarring any from exercising what their severall capacities led them to upon the account of our differences. His Highness interposed, 'That maks somewhat towards the prooffe that your Church is of such a constitution at present, and that there is need of an extraordinary remedy to promove purity and godliness, if it be made out that Acts were made and these Acts improved to the prejudice of godly men and obstruction of godliness. This discovereth of what spirit you are.' I answered that the fairest and surest way for making a discovery of what spirit either we or they are of, was to enquire after and take notice of their carriage and deportment and also ours, and we could wish that it were impartially considered; and then it would appear who were for moderation, truth and peace, and who not: but for these Acts, it cannot be made out that they did contain anything in prejudice of godliness, or were improved to the injuring of any godly men: whatever was in them, the execution of them was sisted as to inflicting any censure upon, etc., and yet if our Brethren will unite with us upon just and safe termes, we are content that all Acts tending to censure upon the account be taken off. M^r Guthrie insisted that at Dundee such Acts were made, and an order to prosecute to excommunication all who would oppose and not submit to them; and after at Edinburgh an Act, debarring which, yet were never repealed, standing in force against them whenever we had power. I replied that for the Acts of the Assemblie at Dundie which M^r Guthrie mentioned, he being concerned in them, though we were ready to give a good account for the Assemblie's passing of them, yet he could not say that to this day any use had been made of them (I touched here on what consideration these Acts were chiefly made to put a stop to the violent course so destructive to the Government of the Church, by censuring

such who were the prime actors in it, and this end not being attained for avoyding a greater evill, these Acts were sisted as to any execution of them); and for the Acts of the Assembly at Edinburgh, he knew what offers for union and peace was made by it in case whereof Acts relating to censures are to be repealed, and, since that, we had not a Generall Assemblie. Guthrie replied that that could not be the cause why these Acts were not repealed, that there did not an Assemblie since that time sit, etc. I answered he wronged me in alleadging I brought that for the cause of not repealing of them. The main was their persisting in their rent, and not yeelding to a just offered union; but I had mentioned what I had spoke as to that, as that which might be well asserted against what he had pressed, if the Acts of such Assemblies were not to this day repealed by another. But I desired they might be put to it, who they were who this day since our first breach were censured upon the account of publike differences. Guthrie said he knew some in the province where he lived. I desired he might be named. Gillespie taks the word out of his mouth. 'The reason was' (saith he) 'your censures had been contemned by the people and would have been to no purpose; but so long as you had the concurrence of the civill power you made use of them to bear us downe.' I sayed this was an unjust alleadgeance, for we had since that time the free exercise of our Church power in all our judicatures save the General Assembly, and so were in a sufficient capacity to execute censures against them in a Church way to the contentment of the people. They had indeed made use of the civill power to wrong us, but we have not had that countenance as to make use of it for injuring them. 'What,' sayed his Highness, 'doe you not imploy the civill magistrat to back your censures?' I sayed, whatever the civill magistrat by the law of our land ought to do in reference to Church censures, yet sure I was it could not be averred since the Assemblie at St Andrews, that we had either craved or gottin help that way; and before there is none of these who stand here will say we did it.

‘When was that Assembly?’ said the Protector. It was answered, ‘In the year ’50.’ ‘But goe on,’ said the Protector, ‘to the poynt.’ Guthrie sayd I desire M^r Sharp may be posed yea or no (this was his usuall preamble to all his peremptory propositions) whether these Acts which stand against us as the definitive sentence of the Church will be repealed, and whether these Acts barring Expectants and Elders, etc., which upon the matter did impose upon their conscience and forced them to quit the truth and relinquish their judgements, will be repealed. I answered that for these Acts in reference to the Resolutions which we hold to be the definitive sentence of the Church, he knows what we offered concerning them as to the forbearing to urge the Acts upon them as the definitive sentence of our Church, in case they would passe from the Protestation and Declinature, and, this being a new point, I should if his Highness thought fitt speak to the clearing of it; but for the Acts relating to censures, as they did not formally, so neither by consequence, import the imposing upon the consciences of any, but had a reservation of their judgment as to publik differences in them, and in case of their securing the peace of the Church, I thought we would endeavour the repealing of them. Then Wariestoun sayed we had filled the Church with scandalous men, etc. I sayed there hath been no accusation brought to the judicatures against particular persons which have not been heard, and it is not fair to accuse the Church of Scotland upon this here. Wariestoun sayed they had given their Remonstrances to Synods. I sayed some caluminous invectives framed by a meeting at Edinburgh were given in to Synods, bearing nothing but generall accusations for the defamation of these Synods. They knew for what end, but to this day we have not heard of particular accusations given in, and I now begg it of his Highness’ justice that they may be putt to it to condescend upon the particular instances against judicatures and persons, that they may be sent home to be tryed upon the place where we should not decline the most strict observation of any unbyassed whom his Highness would

appoynt to be witnesses to the equity and integrity of our proceedings in our judicatures. 'O,' sayed the Protector, 'that is not enough. You have both heir appealed to me about your differences, and these men charge you with scandall and corruption, and you answer that it may be examined upon the place.' I answered we would appeal to heaven and to men, that a Nationall Reformed Church, owned as orthodox in doctrine, pure in worship, is oppressed, and now slandered before his Highness. I knew not what other answer in this case can be given, since they alleadge matters of fact upon us, which are impossible to be cleared so as is necessarie to make a right judgment upon them, unless they be tried upon the place; and again I would offer we should not refuse the most exact observation of our proceedings by any whom he would appoynt as witnesses to our proceedings.

The time drawing to two of the clock, the door being opened, his Highness sayed to us, 'Gentlemen, it is tyme we had some refreshment. Dr Owen, Mr Caryll, etc., pray you take these gentlemen to dinner, and I shall after dinner be with you.' And so, coming to the next room, we find there a table covered and dishes upon it for us. The truth is, I being weary standing and speaking so long, not having eaten any that day, I was a little unwell, and so purposed to withdraw to my chamber, that I might enquire for Broghill and gather my thoughts against the afternoon's debates; but while I am going throu the roum the Secretary speaks to me that I should not goe away, and the Protector hearing him, turned, calling to me, 'Pray, you, goe to dinner,' and bid one of his gentlemen take me into the rowm, upon which I stayed and dined with the five Protesters and Dr Owen, Manton, and Caryll. After dinner I sayed to Manton, 'May not I step up to my chamber and come back againe, the Protector have dined?' 'Yes,' said he, 'and I will take my pipe of tobacco in another room.' Upon which I came to inquire for my Lord Broghill, but could not finde him, and to hasten back without wearines I called for a coach, and just at Whythall gate I met Wariestoun,

Guthrie, Greinhead going to their ludging, and Mr Manton following them. I came to Mr Manton and asked him how they came to goe away. He sayed the Protector came sooner than was expected, and I not being present, he had putt off our meeting till Wednesday in the afternoon. This I take notice of to you, that you may see the reason that the Protesters had to vent it here, and possibly it hath come to Scotland that I had fledd the barras. As I saw no reason why I should have done it, the Lord giving me courage enough to oppose to their impudency, so I gave testimony against that lye by my appearing on Wednesday and waiting there with them till we were dismissed (without a hearing) till we be called for. They may vent their brags at home, as they have done by some of their agents here, but though they plotted to give at the first . . . an irrecoverable dash to our cause by entering in a debate, which they promised to themselves, beeing many, to carry by the strength of their confidence against my weaknes to resist their spirit, and added a surprisall having notice two nights before, when I knew not of the appointment for one hour, yet I have received since a testimony from the Protector himself from Thurlo, from Sir Gilbert Pickerin who came in prejudiced against us, but went out under another conviction that I had the strength of reason on my syde; and I had yesterday from Owen to myself a testimony, and from Manton and Caryll, that though I lay at the disadvantage of answering many at once and they were injurious in bringing odious instances of our actings in reference to the King, yet they had alleadged nothing to which I did not give a satisfieing answer, and that they had discovered much of an insolent, peremptory, overbearing spirit, and therefore I should resolve at the next bout to remitt of that modesty which became me to use in such a presence, and oppose confidence to confidence and speak home to men of their spirit and way. I thought much to be thus spoken to by any English minister. I mention this, the Lord knoweth, not out of vanity, for any dunce might have sayed what I spoke, having read the papers you sent me,

but that I see much of the hand of God in taking them in the devices of their own heart, so that what they proposed for the greatest advantage to their earand here is turned through His mercy to their disadvantages; at least that the cause I stand for hath received a testimony of being just, and asserted by the strength of reason against all they could alleadge, even from the professed adversaries to it. When I consider how the Lord ordered it so, that I should be surprised, my Lord Broghill absent, their great friends present, they arggued with expectation of all they could say should have belief given it, and so should overtake and divide the spoyle, yet it pleased the Lord to keep me from any discomposure of mynd after my appearing or being dazled, whereas they by the fire of their faces and silence at many of my replyes discovered that confidence will not bear out falsehood and lyes in the day of tryell; and truth may be asserted by a worne as by a champion, though not so strongly. I have given you the hints of the particulars as they occurre at present of that debate. Gillespie appealed to the officers of the army in Scotland who knew their way and ours, and an 100 in the city of London. I sayed they had been more busie to acquaint themselves with officers than we; they knew best upon what designe; but we would not detract the right judgment of any unbyassed person as to our eariage and theirs; his Highness' councell was heir and let them be enquired at: and though I would not reckon upon an 100 in London, yet I might attest many knowing conscientious men for the truth of what I had asserted; I thought M^r Gillespie would not hazard his cause upon numbers. Yesterday morning I went to D^r Owen, whom I found beyond expectation civill, after mutuall exchange of the usuall expressions at the first visit. I told them there was no godly, judicious, unbyassed man, though of differing principles, in England, to whom we were not ready and hopefull to justify our cause; and however I might be represented as one who had made it a matter of reflection to those who appeared here against me that they did converse with D^r Owen (for I heard that the Doctor

had vented this, and sayed to Mr Manton when at Whythall I came to speak with him, 'I see Mr Sharp doth not take you for a Secretary as he doth me'), yet I would reckon it a favour to be admitted into his acquaintance, and was not of such rigid principles as to decline converse with one who differed in principles with me. He did at length professe as his affection to our nation, and goodwill to such as served God in it. So far as his being uningaged to any partye in it, it is true these differences from me had been with him, but they had neither engaged his judgment nor affection for them; and since he heard us at Whythall, he professed he was bound to keep an equall unswayed judgment to us both, since he found we did both professe to be for the same government, and as he did take it as a great favour that I gave him a visit, so he would use that freedom with me as to tell me that these of my judgment to his apprehension were more inclined to moderation than these of the other, and he had (besides what his observation of our debate led him to) a signification of this from one of his acquaintance there (I think he meant Alexander Jeffrey, who I hear did wrytt a letter to him with the Protesters here, which did bear that we were both opposite to their way, but yet he thought the protesters were the better men. Yet the Doctor expressed himself to me as I have sayed. I shall not enquire how candidly); and then he gave me a verie fair testimony as to my carriage in that debate adding that though I lay at the disadvantage of answering many at once, yet they had no advantage in the point of reason. I having publickly expressed what my errand was, I thought it fittest to try his mind to give him a copie to read of the sume of these desires you sent up to me long agoe, after reading of which he sayed, 'Though I differ from you in some things as to the matter of government, and professe to you I am ready to subscribe to the confession of your faith, yet I see nothing there which is not reasonable to be granted to you and that you suffer by the not granting of any particular therein; I think you suffer for conscience sake, and could wish heartily there were no reason brought to

barre you from obtaining these desires.' These were his words so far as I can remember. Then he added that in regard they were strangers to our way, and our debates were like to rune upon matters of fact, he could not speak to our present contraversie as were requisit, only by what he had heard of them, these two scruples stuck with him, the one was that we had received into the Church 60 ministers formerly cast out for scandall which argued the ill constitution of our Church. I answered first in generall to the injustice of that slander in 3 or 4 instances according to your papers. Time straitens. I cannot relate them. Then to the alleadgeance I said it was false, for not above 6 or 7 were received into the ministry, and amongst these some were of such abilities and conversation as might carie them to be ministers in any Church reformed in Europe; others, if unworthie to be readmitted, would be taken notice of, and the judicatures admitting them examined when opportunity offered. I enlarged upon this, so as he replyed saying, 'Your superior judicature are upon the matter the same with the inferior, and so,' etc., I told him that the inferiour upon the cognosing of their administrations was removed, and in a Generall Assembly the number from any province was not so considerable as to have any influence upon the whole in judging of such matters. He addit, 'But, however, the spirit of your party will act in all these provinces through the land for sending such commissioners as may carry your business in any Assembly.' I answered that whatever could be charged upon our party, we trusted it would be found wee were acted with a Gospell spirit; but it might appear what spirit did act as by the election of Commisionars at the two Assemblies since our rapture, and let the rolls of these Assemblies be lookt into, it would be found that the most were men of approven integrity and known faithfulness before our differences. He professed to think much of that, and if so we were unjustly charged. His other scruple was about not administring of Sacrament, of which we spoke at length, and the issue was we had settled rules to order the administration thereof, which

were kept by the most, and if any swerved from them they were censured ; we expected that justice and charity to be given to us, that being clear about our rules, our consciences would lead us to walk in that as all the ordinances of Christ according to our perswasion. This is the sume of what passed. After this, many waiting to speak with him (for D^r Owen is no small person here as to courtship), he desired to know my chamber, and professed himself to be most ready to lay himself out for the peace of our Church, desired to have often communication with me, and dismissed me with many civilities. This day I had above one hour's conference with M^r Caryll, the sume whereof I cannot now give you. I find by all that the Protesters here dryve now only at this, to have the Church purged by a new way. Gillespie inclynes to have it any way, Guthrie only by ministers of their party. Gillespie expresseth his rage that I should putt them to prove that our Church for the generality of it is foule. I know not what they think of our late debate but since I heard of my Lord Broghill, that the other night they gave in a paper to his Highness which hath dashed their cause, and in which they do retreat from what boldly they formerly sought. Some new trick undoubtedly they mind. I shall labour to know what the paper bears. They expecting a meeting with M^r Calamy and other city ministers on Thursday last, I dealt with Calamy to putt it off, waiting for your letter which I delivered yesterday to them and copyes of the Representation which will be finished on Monday to prepare them for their meeting. They rage and speak to all, and to my Lord Broghill, as he told me that I have prepossessed all the city ministers, and upon my Lord's replye that they were godly, judicious men and would not receive prepossessions in prejudice of what is just, Guthrie replied laughingly, ' It is hard to dispossess a minister of an opinion which he once taketh up.' I hear Generall Monk wrott up in their favours. Stumble not at M^r Manton's imploying Gillespie once to preach. He hath much apologized to me for it. Did you know the man's temper as I doe, you

would not be offended at it. He is much free and kind to me, and I must resolve to keep him, for he may do us good. Gillespie hunts for imployment here to preach everiewhere, though his auditors say that there is not that extraordinarines in his sermons as should occasion such din about them.—I am, in hast, sir, yours in Christ,

London, 14 February 1657.

JAMES SHARP.

Direct

Ffor the Right Reverend M^r Robert Douglas,
Minister at Edinburgh, Scotland.

END OF VOL. I.

REPORT OF THE THIRTY-THIRD ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY.

THE THIRTY-THIRD ANNUAL MEETING of the Society was held on Saturday, 20th December 1919, in Dowell's Rooms, George Street, Edinburgh—James Curle, Esq., W.S., in the Chair.

The Report of the Council was as follows:—

During the past year twelve members have died, and two have resigned. Twenty-four new members have joined the Society, and the number now on the roll, exclusive of libraries, is 398.

Since last General Meeting two volumes have been issued, viz. *Wariston's Diary*, vol. ii., and *Miscellany of the Scottish History Society*, vol. iii. The other issue for 1918-1919, *Highland Papers*, vol. iii., is all in type except index.

For 1919-1920 it is proposed to issue Dr. Maitland Anderson's Roll of Graduates of the University of St. Andrews (with the extant matriculations) from the beginning to 1579. This is already at press. The second volume for that year will be either the *Register of the Consultations of the Ministers of Edinburgh*, vol. i. (the MS. being too bulky to be issued as a single volume), or the *Daily Orders to the Army of the Duke of Cumberland, 1745-1746*, from the MS. in possession of Dr. W. B. Blaikie. A similar but much smaller MS., giving the Daily Orders of Prince Charles

to his Army, is printed in the first volume of the *Spalding Miscellany*.

The Members of Council retiring by rotation are Sheriff J. R. N. Macphail, Lord Guthrie, and Dr. Hay Fleming. It is recommended that the first and third be re-elected, and the other vacancy filled by the election of Mr. William Angus, of H.M. Register House.

The accounts of the Hon. Treasurer, of which an abstract is appended hereto, show that the balance in the Society's favour on 13th November 1918 was £309, 13s. 4d., the income for 1918-1919 £529, 9s. 10d. (including £37, 16s., subscriptions paid in advance), the expenditure for that year £576, 4s., and the credit balance on 13th November 1919 £262, 19s. 2d.

It will be observed that the expenditure for 1918-1919 exceeds the income for that year by £46, 14s. 2d. This is due to the great increase in the expenses of printing, and the Council can meet it only by a substantial reduction in the size of the Society's issues, below the standard promised in the Rules, which has in past years been largely exceeded.

The Chairman, in moving adoption, spoke of *Wariston's Diary*, of which Dr. Hay Fleming had edited vol. ii. He also dwelt upon the historical material existing in the old law offices of Edinburgh, and appealed to those in charge of documents whose owners could not be traced to send them to the Register House or communicate with the Society. The Report was then duly seconded and adopted.

ABSTRACT OF THE HON. TREASURER'S ACCOUNTS

For the Year ending 12th November 1919

I. CHANGE.

I. Funds at the close of last Account—

| | | | |
|---|------|---|-----------|
| 1. Sum on Deposit Receipt, 8th | | | |
| November 1918, | £300 | 0 | 0 |
| 2. Sum on Account Current, | 5 | 3 | 10 |
| 3. Balance in hands of Treasurer, | 4 | 9 | 6 |
| | | | <hr/> |
| | | | £309 13 4 |

II. Subscriptions received—

| | | | |
|--|------|----|-------|
| (1) 404 Members for 1918-19, | £424 | 4 | 0 |
| Arrears collected, | 31 | 10 | 0 |
| Subscriptions paid in advance | | | |
| for 1919-20, 36 members, | 37 | 16 | 0 |
| | | | <hr/> |
| | £493 | 10 | 0 |

Less 40 members in ar-
rear, . . . £42 0 0

42 paid in ad-
vance, 1917-18, 44 2 0

| | | | |
|-------|-------|-------|-------|
| <hr/> | 86 | 2 | 0 |
| | <hr/> | <hr/> | <hr/> |
| | £407 | 8 | 0 |

| | | | |
|---------------------------|------|---|-------|
| (2) Libraries, etc., 100 | | | |
| subscribers, | £105 | 0 | 0 |
| Arrears collected, | | | |
| 1917-18 (four), | 4 | 4 | 0 |
| Paid in advance | | | |
| for 1919-20, | 2 | 2 | 0 |
| | | | <hr/> |
| | £111 | 6 | 0 |

Less 7 in arrear, £7, 7s.;
paid in advance, £5, 5s.

in 1917-18, 12 12 0

| | | | |
|-------|-------|-------|-------|
| <hr/> | 98 | 14 | 0 |
| | <hr/> | <hr/> | <hr/> |
| | £506 | 2 | 0 |

III. Publications sold during year, 10 10 0

IV. Bank interest on Deposit Receipts, 12 17 10

| | | | |
|-------|-----|---|----|
| <hr/> | 529 | 9 | 10 |
|-------|-----|---|----|

£839 3 2

II. DISCHARGE.

I. Printing, Binding, and issue of Publications—

(1) *Johnston of Wariston's Diary, Vol. II.*—

| | | | |
|---------------------------------|------|----|----|
| T. & A. Constable for | | | |
| Composition and Printing, | £222 | 1 | 11 |
| Binding, 540 copies at 1s. 9d., | 47 | 5 | 0 |
| Parcelling, Despatching, etc., | 21 | 2 | 9 |
| | £290 | 9 | 8 |
| Less paid to account, . | 53 | 19 | 0 |
| | £236 | 10 | 8 |

(2) *Miscellany, Vol. III.*—

| | | | |
|-----------------|------|----|----------|
| Composition, | | | |
| Printing, etc., | £224 | 12 | 0 |
| Less paid to | | | |
| account, . | 36 | 15 | 0 |
| | | | 187 17 0 |

(3) *Highland Papers, Vol. III.*—

| | | | |
|------------------------|-----|----|---|
| Composition to date, . | 102 | 16 | 0 |
|------------------------|-----|----|---|

(4) General Printing Account, . 23 8 2

 £550 11 10

II. Miscellaneous Payments—

| | | | |
|---|----|----|---|
| Room for Annual Meeting, . | £1 | 6 | 0 |
| Accounts for transcribing MSS., . | 8 | 1 | 0 |
| A. Mill, indexing <i>Wariston's Diary</i> , | 4 | 16 | 0 |
| Expenses of arranging and attend- | | | |
| ing to books, etc., . | 5 | 0 | 0 |
| Bank charges on cheques, etc., . | 1 | 4 | 2 |
| Auditors' outlays, . | 1 | 1 | 0 |
| Secretary's posts and incidents, . | 1 | 1 | 0 |
| Treasurer's posts of circulars, etc., | 3 | 3 | 0 |

 25 12 2

Funds at close of this Account—

| | | | |
|----------------------------------|------|----|---|
| £130, dated 31st December 1918, | £130 | 0 | 0 |
| Deposit Receipt, 12th Feb. 1919, | 50 | 0 | 0 |
| Deposit Receipt, 12th Nov. 1919, | 80 | 0 | 0 |
| Balance on account, . | 2 | 8 | 7 |
| Do. in hands of Treasurer, . | 0 | 10 | 7 |

 262 19 2

 £839 3 2

EDINBURGH, 27th November 1919.—Having examined the Accounts of the Hon. Treasurer of the Scottish History Society for the year ending 12th November 1919, of which the foregoing is an Abstract, we find the same to be correctly stated and sufficiently vouched, closing with a sum on Deposit Receipt with the Bank of Scotland of £260, a balance at the credit of the Society's account current with the said Bank of £2, 8s. 7d., and the balance on hand of 10s. 7d.

WM. TRAQUAIR DICKSON, Auditor.

RALPH RICHARDSON, Auditor.

Scottish History Society.

THE EXECUTIVE.

1919-1920.

President.

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Chairman of Council.

SIR JAMES BALFOUR PAUL, C.V.O., LL.D., Lyon King of Arms.

Council.

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D. HAY FLEMING, LL.D.

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A. FRANCIS STEUART, Advocate.

JAMES MACLEHOSE, LL.D.

The Right Hon. LORD STRATHCLYDE.

WILLIAM MACKAY, LL.D.

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JAMES CURLE, W.S.

GEORGE NEILSON, LL.D.

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Corresponding Members of the Council.

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Litt.D., Aberdeen.

Hon. Treasurer.

C. S. ROMANES, C.A., 3 Abbotsford Crescent, Edinburgh.

Hon. Secretary.

J. MAITLAND THOMSON, LL.D., Advocate, 3 Grosvenor Gardens,
Edinburgh.

R U L E S

1. THE object of the Society is the discovery and printing, under selected editorship, of unpublished documents illustrative of the civil, religious, and social history of Scotland. The Society will also undertake, in exceptional cases, to issue translations of printed works of a similar nature, which have not hitherto been accessible in English.

2. The number of Members of the Society shall be limited to 400.

3. The affairs of the Society shall be managed by a Council, consisting of a Chairman, Treasurer, Secretary, and twelve elected Members, five to make a quorum. Three of the twelve elected Members shall retire annually by ballot, but they shall be eligible for re-election.

4. The Annual Subscription to the Society shall be One Guinea. The publications of the Society shall not be delivered to any Member whose Subscription is in arrear, and no Member shall be permitted to receive more than one copy of the Society's publications.

5. The Society will undertake the issue of its own publications, *i.e.* without the intervention of a publisher or any other paid agent.

6. The Society will issue yearly two octavo volumes of about 320 pages each.

7. An Annual General Meeting of the Society shall be held at the end of October, or at an approximate date to be determined by the Council.

8. Two stated Meetings of the Council shall be held each year, one on the last Tuesday of May, the other on the Tuesday preceding the day upon which the Annual General Meeting shall be held. The Secretary, on the request of three Members of the Council, shall call a special meeting of the Council.

9. Editors shall receive 20 copies of each volume they edit for the Society.

10. The owners of Manuscripts published by the Society will also be presented with a certain number of copies.

11. The Annual Balance-Sheet, Rules, and List of Members shall be printed.

12. No alteration shall be made in these Rules except at a General Meeting of the Society. A fortnight's notice of any alteration to be proposed shall be given to the Members of the Council.

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OF THE
SCOTTISH HISTORY SOCIETY

For the year 1886-1887.

1. BISHOP POCOCKE'S TOURS IN SCOTLAND, 1747-1760. Edited by D. W. KEMP.
2. DIARY AND ACCOUNT BOOK OF WILLIAM CUNNINGHAM OF CRAIG-ENDS, 1673-1680. Edited by the Rev. JAMES DODDS, D.D.

For the year 1887-1888.

3. GRAMEIDOS LIBRI SEX: an heroic poem on the Campaign of 1689, by JAMES PHILIP of Almerieclose. Translated and edited by the Rev. A. D. MURDOCH.
4. THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part I. 1559-1582. Edited by D. HAY FLEMING.

For the year 1888-1889.

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7. THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part II. 1583-1600. Edited by D. HAY FLEMING.

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9. GLAMIS PAPERS: The 'BOOK OF RECORD,' a Diary written by PATRICK, FIRST EARL OF STRATHMORE, and other documents (1684-89). Edited by A. H. MILLAR.
10. JOHN MAJOR'S HISTORY OF GREATER BRITAIN (1521). Translated and edited by ARCHIBALD CONSTABLE.

For the year 1890-1891.

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12. COURT-BOOK OF THE BARONY OF URIE, 1604-1747. Edited by the Rev. D. G. BARRON.

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For the year 1892-1893.

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(*Note*.—ORIGINS OF THE '45, issued for 1909-1910, is issued also for 1914-1915.)

For the year 1915-1916.

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For the year 1916-1917.

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For the year 1917-1918.

17. PAPERS RELATING TO THE ARMY OF THE SOLEMN LEAGUE AND COVENANT, 1643-1647. Vol. II. (December 1917.)
18. WARISTON'S DIARY. Vol. II. Edited by D. HAY FLEMING, LL.D. (February 1919.)

For the year 1918-1919.

19. MISCELLANY OF THE SCOTTISH HISTORY SOCIETY. Third Volume.
20. PAPERS RELATING TO THE HIGHLANDS. Edited by J. R. N. MACPHAIL, K.C.

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